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"Council Journal"

Fifteenth Legislative Assembly of the Territory of Montana.

Extraordinary Session.

First Day

Council Chamber
Helena Montana
August 29th 1887

Pursuant to the Proclamation of the Governor of Montana Territory. The members of the Fifteenth Legislative Council of the Territory of Montana, met at the Council Chamber, at the Court House in the City of Helena, in said Territory, on Monday the Twenty Ninth day of August A.D. 1887, at twelve oclock M. of said day:-

Hon. Richard O. Hickman, President in the Chair, called the Council to order.

The roll being called the following members of the Council were found present:-

From Jefferson County.	"	Edward Cardwell
Choteau	"	Timothy E. Collins
Yellowstone Park.	"	Samuel L. Holliday
Lewis & Clark.	"	William B. Hundley
Missoula	"	Neil Kennedy
Silver Bow.	"	John E. Rickards
Meagher & Fergus.	"	Neil A. Sutherlin
Madison	"	Richard O. Hickman

President of the Council

The following Officers of the Council were called and answered to their names.-

Reuben L. Maria, Chief Clerk; Hartford, D.
A. Kenwright, Engrossing and Enrolling Clerk;
Matthew McSpirit, Sargeant at Arms.
Rev. Randolph E. Smith, Chaplain.
Benjamin F. Hooper, Door-Keeper
Geo. H. Faust Page.

The following was read

PROCLAMATION BY THE GOVERNOR.

WHEREAS, There was passed by the Legislative Assembly of the Territory of Montana at the last session thereof, an Act entitled, "An Act relating to Assessment and Levy of Taxes," approved March the 10th, 1887, under which and by virtue of its provisions, chapter fifty-three of the fifth division of the Revised Statutes of Montana, relating to revenue, and all acts amendatory thereof are from and after the first day of December, 1887, to stand repealed. And the said act of March the 10th is thereafter to be the law under which property in the Territory of Montana is to be assessed for taxation and the taxes levied and collected for territorial and county purposes; and

WHEREAS, There are grave doubts and much uncertainty whether the tribunal created by said act and directed to assess certain property for taxation, to levy the taxes for territorial purposes, and to equalize all the assessments for each county, can under the statute legally proceed to organize and perform the duties assigned it by said act; and

WHEREAS, All powers and functions assumed under doubtful authority in such grave matters as assessment and taxation might lead to confusion, litigation and delay in collecting the revenues necessary to carry on the government; and

WHEREAS, There are other confusions and uncertainties in said act; and

WHEREAS, All laws by which the agents of the government make demand of the citizen for taxes, should be so clear and certain as to preclude all doubtful constructions; and,

WHEREAS, Said assembly passed an Act entitled "An Act to amend an Act relating to killing certain annimals," approved March 5th, 1887, which, tested by practical operation for three months and six days, promises to be a ruinous drain upon the public treasury, having within this fraction of a year sent to the auditor's office and procured warrants on the treasury for over twenty-six thousand dollars; and

WHEREAS, Its demands were increased during the month of June and first seven days of July alone to eighteen thousand dollars. And this experience of thirteen weeks and particularly that of the last five weeks, foreshadows and gives full warning that it would draw from the treasury almost two hundred thousand dollars within the two years before the election and organization of another regular legislature; and

WHEREAS, The members of the last assembly surely never contemplated imposing such large and questionable burdens upon their constituents; and

WHEREAS, Serious errors appear in some other laws passed by said legislature, which should be speedily corrected; and

WHEREAS, There are other rapidly increasing demands upon the treasury under some existing laws, which the public interests require should be curtailed, and other ways regulated by further legislation; and

WHEREAS, The reasons for calling the legislature in extraordinary session were by me submitted to the President of the United States, and were by him duly approved on the thirteenth day of March, 1887,

Now, therefore, I, Preston H. Leslie, Governor of the Territory of Montana, do by virtue of the power vested in me by the organic act of said Territory, and by the approval of the President of the United States, hereby order and call upon each and every member of the said Legislative Assembly of the Territory of Montana, to attend and convene themselves in extraordinary session at Helena, the capital of said Territory, on Monday, the twenty-ninth day of August, A. D. 1887, at twelve o'clock m. of said day, to consider such important subjects of legislation, and perform such duties as the general welfare of the territory may demand.

In testimony whereof I have hereunto set my hand and caused the great seal of the Territory to be affixed. Done at Helena, the capital, on this, the eleventh day of July, in the year of our Lord one thousand eight hundred and eighty-seven, and of the Independence of the United States of America the one hundredth and ~~eleventh~~ twelfth.

PRESTON H. LESLIE.

By the Governor:

WM. B. WEBB, Secretary of Montana.

On motion of Kennedy:
A Committee of three to inform the House that the Council is organized and ready for business, was appointed by the Chair,- to-wit: Kennedy, Cardwell and Sutherlin.

On motion of Kennedy:
The Chair appointed Collins, Rickards and Hundley to act jointly with a committee of the House, to wait upon the Governor and inform him that the Council and House are duly organized, and await any communication he may desire to make.

The following Communication from the House was received

House of Representatives
Helena M. T. August 29th 1887

Mr President:-
I am directed by the House to inform your honorable body the House has convened in accordance with the Proclamation of the Governor, and that a full quorum is present.
That Messrs Kanouse, Taylor and Mantle have been appointed a committee on the part of the House to act in conjunction with a like committee of the Council to inform His Excellency, the Governor, that the Extraordinary session of the 15th Legislative Assembly has convened and will await any communication that he may see fit to make.

David Marks,
Chief Clerk

Council took a recess for ten Minutes
Council resumed. 11 Mr.
President in the Chair.

Kennedy from committee appointed to inform the House that the Council is organized and ready for business, reported that the committee had performed the duty assigned to them.

The following Report was received.

Mr President.-

The Joint Committee of the Legislative Assembly appointed to wait upon the Governor, to inform him that the Legislative Assembly was now organized and ready to receive any communication he may wish to convey to them, beg leave to report, that the duty has been performed and that the Governor has signified his wish to deliver his message to the Legislature in Joint Convention in the Hall of the House of Representatives at 2. o'clock P.M.

Your Joint Committee has prepared a resolution in accordance with the above for the action of the two Houses.

T. E. Collins
Chairman Joint Committee.

The following Communication from the House was received.-

House of Representatives.
Helena M. T. Aug. 29th 1887.

Mr President.-

I am directed by the House to inform your Honorable Body that the House has adopted the following resolution.

"Resolved by the House, the Council concurring, that the Council and House meet in Joint Session at 2 P.M. of this day, in the House of Representatives to receive the Message of the Governor."

David Marks
Chief Clerk.

On motion of Kennedy the foregoing concurrent resolution was adopted.

(H)

On motion of Collins.-
Council took a recess until 1.55 P.M.

1.55 P.M.- Council resumed
Mr President in the Chair.
Roll called.- Present the same members as this morning and Batchelder of Beaverhead

On motion of Collins.-
The Council proceeded in a body to the hall of the House of Representatives to hear the reading of the Governors Message.

House of Representatives.
Helena Montana. Aug. 29th 1887.
2 - P.M.

The Council and House of Representatives met in joint convention to receive the Governor's Message.
Mr President in the Chair.
Roll called and a quorum of each House being present.

On motion of Mantle.-
The joint committee heretofore appointed to notify the Governor of the organization of the Legislative assembly, was appointed to wait upon the Governor and inform him that the Council and House were in joint convention awaiting his presence
His Excellency Preston H. Leslie, Governor of Montana Territory was then introduced by the President, and after preliminary remarks and returning thanks for the courtesy, reads the following message.

TERRITORY OF MONTANA,
EXECUTIVE OFFICE,
HELENA, August 29th, 1887.

To the Legislative Assembly of the Territory of Montana:

You have been called together at the capital of the territory to hold an extraordinary session, with the consent and approval of the President of the United States; and I now proceed in a brief way to submit for your consideration some of the questions and subjects which appear to call for legislative action. All free peoples are jealous and unrestful under the exercise of any doubtful authority, or questionable power over their property, and while all good citizens willingly submit and cheerfully bear all lawful burdens imposed by their government; still they scrutinize carefully, and inquire for the authority of every agent who assumes to have a license to demand of them their money in the shape of taxes, or to otherwise interfere with their property in the name of the state. Hence all the statute laws of the government should be clear, direct and without ambiguity or doubtful construction; otherwise confusion, strife and delay hedge up the pathway of official duty, and tend to the detriment of the public interest.

The law which was passed by your honorable body last March, "Relating to Assessment and Levy of Taxes," does not, as I construe its terms, take effect and go into operation until December the first, 1887; at which time all of Chapter 53, of the Fifth Division of the Revised Statutes of Montana, relating to revenues, and all acts amendatory thereof, are to stand repealed, and this act of last March becomes a substitute for said repealed statutes. This law which takes effect next December creates an agency for sundry important purposes, to wit:

First—It is to be the assessor for taxable purposes, to the territory and counties, "of all the property in this territory belonging to railway corporations," except certain specified parcels named in the law. Secondly, it is made the duty of said agency to levy the tax for territorial purposes upon all the property in the territory; and, third, this agency is to "examine and compare the returns of the assessment of the property in the several counties of the territory, and to equalize the same, so that all the taxable property in the territory shall be assessed at its true and full value." It will thus be seen that this agency is virtually the assessor of all the taxable property in the territory both for territorial and county taxation, and it fixes and levies the taxes to be collected for territorial parposes. This agency, called in the law "the territorial board of equalization," will consist of "the governor, the auditor and the attorney-general of the territory, and one qualified elector, who shall be a freeholder, from each judicial district of the territory, to be appointed by the governor, with the advice and consent of the council." The duties assigned to this board are specific as to subject matter, and time and place. No taxes can be collected to carry on the territorial government until this board assesses the property, and levies the tax thereon. Neither can any taxes be collected for county purposes till this board examines and approves the returns of the county assessors. Wherefor it is a matter of the greatest moment that whoever shall assume to act as the "territorial board of equalization" shall have the unquestioned power and authority to do so. There is no such officer in the territory as "attorney-general," and the board cannot organize and proceed to business without that law officer as a member. The law does provide that the governor may fill vacancies that may occur in the board; but certainly he could not appoint an attorney-general in the absence of a law creating the office, and, besides, there is no provision in the law that a majority of the members can act as the board, or any suggestion in the law as to what step can be taken in case of any unavoidable absence of members resulting in less than a majority in attendance, at the time fixed by law for the meeting and execution of the trust so confided to the board. If a majority of the members of the board cannot act for the entire seven members, or if there can be no organization of the board without the attorney-general, then there can be no assessment, levy or collection of taxes in this territory after the first of December next without an amendment curing these omissions in the law. At any rate, the questions are of such grave import, and connected as they are with such vital interests of the people, and fraught with such danger to the public peace, that I commend the subject to your favorable consideration, and ask that you will make such amendments as will free the law of all doubt and confusion.

I also call your attention to some other parts of this revenue law. Section 101 it will be seen imposes upon a public officer—the county clerk—the duty of becoming the insurer and guarantor to every vendee in the conveyance of land offered for record in his office that all previous taxes have been paid thereon; not only so, but he is also made to become the counsellor and advisor, and to decide for such vendee that the land is clear of all incumbrances on account of taxes prior to that time, before he is allowed to put such conveyance to record; and if he fails in these official duties, he is to be fined from one hundred to one thousand dollars, and must pay all damages resulting from his mistake. I suggest that this is a fearfully harsh exaction to impose upon a public officer; and I recommend that it be so amended as to leave the law as it always has been, when every man may examine for himself the sufficiency of the title to property he is about to buy, and make his own selection of counsel, should he need any.

It seems from Section 76 that it is the duty of the County Treasurer, when land has to be sold on account of unpaid taxes, to sell the entire tract of land, and all it produces in excess of the taxes and costs he is to pay over to the owner. I recommend such modification of the Section that he shall only sell so much of the land as will be sufficient to pay the taxes and charges thereon.

Upon re-inspection of Section 20 of this Act, I am satisfied it will be seen there is a great amount of labor imposed on the Clerk, which can be of very little practical good to the public. It provides that he "shall make out in the Real Property Assessment Book complete lists of all lands or lots subject to taxation, showing the names of the owners, if to him known, and if unknown, so state opposite to each tract or lot:—the number of acres, and the lots or parts of lots or blocks included in each description of property; and, for the purpose of accuracy and completeness, he shall compare said lists with the maps and plats in his office. In the case of desert land claims and mineral entries located upon unsurveyed lands, and upon which final proof has been made, it shall be considered as good and valid description when listed on the roll by the numbers given and used describing the same in the land office where said entry was made; said books and blanks shall be delivered to the assessor by the county clerk on or before the first day of January, with such instructions from the county board as to insure full and uniform assessments and returns." I submit that, if in your wisdom it is deemed necessary for the public good that this work and these duties shall be performed by the clerk as enjoined by this section, then a full, sufficient nnumber of deputies ought to be supplied by law to the clerk, with the measure of just and fair compensation, to enable him to comply with the law in this regard; for it is most certain that no one man, with a single deputy to help him, can comply with this demand of the statute.

In section 62, the time given to the clerk within which to do and perform certain important duties, therein prescribed, is manifestly insufficient, and yet heavy penalties are attached to any failure on his part to comply within the time designated in the act. The public interest will surely be as well subserved in extending the time, and accuracy will more certainly be assured; and I recommend accordingly.

There are yet other provisions and parts of this new revenue law which might well be examined and improved; but these to which I have invited your attention are the principal ones now most demanding your action.

The new license law, which took effect the first of July last, forbids and disallows any person the privilege of setting up and carrying on certain descriptions of gaming within the cities, towns and villages of the territory where the population is above three hundred, until a license is obtained for such privilege; and the same inhibition applies to cities, towns and villages where the population is less than three hundred, but in this class the license fee is less; and all other places and parts of the territory, whether the number of persons assembled together, or temporarily residing near each other, be great or small, are exempt from the provisions of this law. It occurs to me that, if the privilege of gambling in cities, towns and villages should pay a tax, the same privilege exercised among men engaged in mining, or in constructing railroads, or in the midst of the multitude assembled at the fair ground, or upon the race field, or at any other place, should pay the same, or a proportional license; or if an enterprising person, engaged in that line of thrift, shall conclude to set up and prosecute a business of that kind just a little outside of a city, town or village, but near enough to attract the people of such city, town or village, he too ought to pay as much as his competing gambler on the inside. There was an act passed and approved on the 9th day of March last which makes it a felony, and fixes the punishment of service in the penitentiary, for carrying on or engaging in certain descriptions of games within this territory, to wit: "Three card monte," "strap game," "thimble rig," "patent safe game," "black and red game" (commonly known as the ten dice game), "percentage," "stud-horse poker," "percentage draw poker," "twenty-one," "high ball," "blue jay," "chuck luck," "short faro," or any "dice game;" while the act passed and approved the next day, commonly called the license law, forbids that any person shall engage in these same games in cities, towns or villages until a license is obtained for such privilege. Whatever of seeming conflict there may be in these two enactments should be remedied by amendment. The amount of revenue being derived from licenses for the privilege of gambling is very many thousands of dollars less than heretofore, and yet it is asserted and believed that there is no diminution in any class of gaming heretofore common in this territory. If it is the purpose of the legislature to curtail or put a stop to that class of gaming itemized in the said act of the 9th of March, and to disallow other sorts or names of gambling, except upon a license, then, to accomplish these ends, some law ought to be passed providing more certainly for the enforcement of the laws against those who violate and disregard their commands.

It will be seen by an inspection of this license law that while liquor dealers are required to pay for and get a license to sell in quantities above, and in quantities less than one gallon, there is no law requiring a license to sell an even gallon. This, of course, was an oversight in the draftsman of the act, and can be easily remedied.

This license law very wisely and very justly imposed a tax upon peddlers and upon commercial travelers and drummers, as they are called, for the privilege of prosecuting their business or calling in this territory; and this law very properly applies to all persons, whether they be citizens of Montana or of other territories or states. But since the adjournment of the legislature in March last, one judge, if not more in this territory has decided that under the rulings of the supreme court of the United States all commercial travelers and drummers residing outside of the territory of Montana have the right to come into our bounds, and carry on and prosecute their business of drumming, and selling by sample, without paying for or procuring a license to do so from the authorities of this government; and that therefore the laws of this territory in that regard cannot and must not be enforced against such non-residents; and I suppose the same ruling will apply to non-resident peddlers doing business on the soil of Montana, and to non-resident lawyers, physicians, assayists, etc. It results therefore that now, and ever since the decision was made, the citizens of Montana who live here and pay their taxes, and are ready to perform every act of good citizenship, and to make any sacrifice for the good of their government, are compelled to pay for and get a license to sell by sample, to peddle, or to act the commercial traveler; while all the merchants in the states and other territories have the right to send in their drummers, and sell their goods by sample, or to peddle out their goods amongst our people, without paying one cent of tax in any way for the support of this government, and thus the position is taken in support of discrimination in favor of the non-resident, and against our own people. I do not concur in the understanding that the supreme court of the United States has ever had this precise question under advisement, and rendered the decision claimed; and while I do most respectfully acquiesce in the decisions of our courts touching the enforcement of the law, yet I believe that our law is constitutional, and eminently just, and would have the territory of Montana take the question direct to the supreme court of the United States for investigation and decision; and in the meantime, and by all means, I ask that you amend this law so as to give our own people an equal chance with those outside, who have no interest in Montana except to hasten in and get all the good trade they can, and then retire.

I deem it my duty to call your attention to the practical workings of the act passed by your honorable body, and approved on the 5th day of March last, commonly called the "bounty law." It is no new experiment in Montana to have a bounty law. There have been such laws on the statute books ever since the 17th of February, 1879, and very many of the states, if not all of them, have had, and some of them now have, similar laws, as a means of relief from the ravages of hostile animals that forage upon the buddings of civilization, and such laws, carefully prepared and guarded, have always found favor with the people. The first law upon the subject in Montana vested in the county commissioners of each county the power to offer, and cause to be paid out of the county treasury, such bounty as in their discretion ought to be paid for for killing or destroying certain vicious wild animals. Whether any commissioners ever did deem it necessary, and levied such tax upon the people of their county under the law vesting them with such authority, I am not advised; but on the 8th of March, 1883, the law was amended, and a very inviting bounty was offered and made payable out of the treasury of the territory—eight dollars for each bear, eight dollars for each mountain lion, one dollar for each wolf and fifty cents for each coyote. Under this law there was paid for during the

year 1883	$ 1,712.50
For the year 1884	11,740.50
For the year 1885	11,837.50
For the year 1886	13,764.00
	$39,054.50

The present law reduced the bounty upon bears and lions to the sum of three dollars for each bear, three dollars for each lion, and increased to two dollars for each wolf, and one dollar for each coyote, and also increased the list of animals on which the territory should pay a bounty, to-wit: Ten cents for each prairie dog, and five cents for each ground squirrel. The warrants which the auditor has issued under authority of the bounty law since the first of January, 1887, amount as follows:

For the month of January	$621.00
" " " " February	466.50
" " " " March	4,604.00
" " " " April	3,085.40
" " " " May	5,270.40
" " " " June	14,007.30
" " " " July	12,296.10
First 23 days of August	11,711.85
	$48,012.55

Of this $48,012.55, $41,060.05 was for ground squirrels and prairie dogs. Thus it is seen that the bounties paid out for the first four years after the public treasury was legislated into this liability amounted to $39,054.50; while for the first seven months and twenty days of this year the amount is $48,012.55 and of that amount $41,060.05 is for squirrels and prairie dogs, for which warrants were issued upon the treasury between the 1st of April and the 23rd day of August inclusive. I have procured from the auditor a tabulated statement, showing the proportion to each county in the territory of these large gifts from the public treasury, and the same is attached to and made a part of this message.

It is due to you and your constituency that this subject be presented, and its avarice for the people's money fully shown. Amongst the estimated charges upon the public treasury for the year 1887, made out and reported by the auditor in his annual report to the legislature last January, this item—bounty for killing animals—was set down at $14,000.00: whereas it amounts now, before the first eight months have passed by, to almost four times his estimate, and the volume of draft, as the calls through this month of August show, is not in any sense decreasing. Already (and for several weeks gone) every dollar in the treasury has been paid out, and the territory is now going in debt every day for killing squirrels, prairie dogs, wolves, etc., and interest is accumulating upon that indebtedness. The enormous demands under this law upon the public treasury have awakened suspicion, and prompted careful scrutiny of its entire framework, provisions, etc.; and it is seen that the pathway to the treasury from the killing of the animal at his home in the mountain is easily found, is full of temptations, and very dangerous to the pockets of the people. In the whole body of the law, and in all its parts, there is a careless looseness, and utter absence of any safeguards against fraud, false swearing, perjury, bribery, cheat or imposition, or of provisions to punish either of those crimes committed in the vicious use of the law. The very officer whose certificate is made to unbolt the doors of the treasury is made to be interested on the side of the applicant, and against the territory. He is not required to make or keep a record of the transaction, or even to file away and preserve the affidavit of the applicant. The law shows the facts that the affidavit must contain, and, of course, it is attempted in every instance to have the affidavit conform to the law; but all that is required is the naked statement of the applicant, and just what he says as to when they were killed, in what county, in what territory, and whether outside of a reservation or park, is to be taken as true. The law does provide that that he must have two witnessess, who shall make affidavit that they believe what he says to be true. The applicant may be a person of good character, or the vilest and most unworthy, and yet if he comes with his two believing witnesses, the officer may proceed to count and certify accordingly. The law makes the certificate of this district officer a voucher to be honored by the treasury of the territory upon presentation, and whatever of doubt or suspicion there may be of its genuineness there is no provision for investigation and delay, or for other action to be taken in order to detect the overreaching avarice of the unscrupulous fabricator.

I recommend that if this law, or anything of its kind, is to be continued, that you carefully digest and recast its structure, and place about it such guards and restrictions as will more effectually save the territory from fraud and peculation through its liberal offerings; provide suitable punishment for every crime committed in seeking to obtain the munificence of this law.

Moreover; it it is your sense of justice and fairness to the taxpayers of the territory that this law shall continue with all its exhausting force upon the public treasury, then the necessity is upon you, and you should at this extra session pass a law whereby money enough beyond the present resources will come into the treasury to pay its demands. The ordinary expenses necessary to carry on the government, and the cost of caring for the insane, supporting criminals, and the cost of their prosecution, are burdens upon the treasury which must be met; and just in this connection it may be stated that the cost of taking care of those adjudged insane, and for prosecuting and supporting the criminals, is swelling at a most rapid rate every month. There is no question in my mind but the insane of this territory are, under our present system of care for them, being humanely and well nursed and cared for; but the cost is enormous, and excessively high. I recommend that you formulate a bill, and pass it, making provision for purchase of suitable grounds, and the erection of buildings thereon, properly adapted to the purposes of an asylum, and for the reception and care therein of that unfortunate class of our fellow beings. There is nothing in all the charms of American civilization more noble, and that shines as a brighter star, than the lavish hand with which states, cities, towns and communities all over this country, teeming with its millions of people, have given money, erected buildings, supplied comforts, and purchased the very highest order of medical skill and nursing for those, our suffering brothers and sisters. Montana's people are not free from this malady. We have in our midst the same sad garments of distress enshrouding many families, and the number is increasing at an alarming rate. Duty to them, and duty to ourselves, and to the government we have and intend to preserve, and the soundest economy as well, demand that you shall inaugurate this great benefaction, and provide for its pushing forward to completion. I shall most cheerfully co operate with you in this, and every other legislation which shall be within the authority, and not in violation of the organic act of congress creating this government.

Since the adjournment of the legislature last March, two most foul and murderous attempts have been made, to derail and wreck running trains of railroad cars within this territory, and each train at the time was carrying large numbers of human beings. These attempts to thus destroy property, and rob and destroy human life, in wickedness and crime of the very darkest type, and marks the perpetrator as a public enemy. Fortunately and most miraculously, both of these attempts failed of their design, but the intent to murder and destroy property moved and prompted the act. It is a remarkable fact that there is no statute law of this territory denouncing such conduct, and fixing a punishment for attempts of this character, nor even for wilfully engaging in such attempt in which a train of cars may be utterly destroyed, and involving millions of dollars worth of property. Other territories and all the states and the government of the United States have laws that apply to all such dastardly acts; and I ask that you pass a most stringent law upon this subject, and fix such penalty upon the crime as will truly represent the sentiment of Montana's people, and show their full detestation of such crime.

I also beg leave to direct your attention to an inquiry as to whether some further amendments to the criminal code are not necessary and desirable, in order to afford railroads the full protection of the law to which they are justly entitled. The criminal code was adopted before the advent of railroads into the territory, and framed to meet the conditions then existing. Wisely enough many provisions commonly found in the penal code of the states, with reference to this class of property were omitted from our penal code, leaving the labor of supplying them to subsequent legislatures, when the changed condition of the country should make their enactment necessary. The rapid construction of these improved highways of commerce and travel in every part of the territory admonishes us that this work of amendment ought not to be longer delayed. This class of property contributes largely to the public revenue, and it is of right entitled to the fullest and most ample protection of the law. Without assuming to cover all of the details wherein amendments are desirable, permit me to suggest a few of the more important matters requiring immediate attention. It should be made an offense to set fire to or burn any railroad bridge, trestle, culvert, or any portion of the superstructure of a railroad; and here I may particularly direct your attention to the section of the statute against burning bridges now in force. The language is, "any bridge across any stream." I need scarcely suggest to you that the wilful burning of any bridge on a highway, whether it be across a stream or not, ought to be included within the statute. Maliciously opening or displacing a railroad switch, or placing on the road any obstruction, whereby a train may be derailed, or in anywise injured, should be denounced, and suitably punished. The law of larceny should be so amended as to include tickets entitling the holder to a passage on any public conveyance, and the value of such ticket should be fixed at the sum at which tickets are sold by the proprietors of such conveyance to persons desiring to travel between the points designated in the ticket. It has been found expedient in some of the states to make train conductors peace officers and give them authority to make arrests for breaches of the peace and other offenses occurring on trains in their charge They should be required to turn the offender over to the nearest sheriff on the line of their road in the direction in which their train is running, and such offense should be made punishable in any county through which the road passes on which the offense may be committed.

I call your attention to house joint resolution number 9, adopted and approved March 10th, 1887, and to section 25, article 1, chapter 2, of fifth division of revised statutes of Montana, and submit the question whether it was intended in adopting the said resolution number 9 to include the provision made for the same institution in said section 25 of said chapter. If such was the purpose of said resolution, then there should be an amendment explanatory, so as to merge the one into the other.

There are yet other important subjects to which your attention might very well be directed as deserving your notice and the favor of your legislative action; but with the view to shorten as much as possible, consistent with the public interest, the time and length of this extraordinary session, I have thought it most proper to present in this message, for your consideration, only such subjects and questions as demand immediate legislative action, and these, as you perceive, are mainly those touching the finances of the territory, the assessment and gathering of the public revenues, and their just disbursement under the wisest economy; and I am sure when you have considered and acted upon these suggestions, and only such others (if there are any) as your sense of duty shall impress you must now, for the public good, be legislated upon, that all others will be remitted to the people and their chosen agents of the next regular session.

I regret the necessity which has compelled me to have you leave your homes at this very busy season of the year to engage again in earnest thought and deliberation upon matters of legislation. Nothing but the strongest abiding sense of duty has prompted this action. I regret the more such necessity for this session of the legislative assembly because there are no means at command with which to pay the members their per diem or mileage, or any of the expenses incident to this coming together, until the meeting of congress in December, and until provision shall then be made. I shall make haste to have the subject brought to the notice of that body promptly, and urge immediate action thereon.

Good government is full of the spirit of justice, liberality and charity toward all its subjects; and is never parsimonious in providing for its own agencies, and the peace and happiness of its own people; or in protecting their honor, and opening out to them the lights of progress and improvement. But true statesmanship abhors every appearance of wasteful extravagance, and all favoritism that smacks of class legislation, or is tinged in any degree with oppressive burdens upon any one species of property, industry or laudable business, while others are exempted, or so lightly burdened, as to savor of discrimination for one and against another. Nor is the labor of the people to be taxed or in any way burdened by legislative enactments. It is the great moulder of the governments material wealth, and no statute that in any degree clogs its life force is acceptable in this country. Nor will patriotism, tempered by true charity, encourage county jealousies, or other local envyings, amongst the parts of this growing territory. There is not one member of the council, or of the house of representatives, but who, although chosen by a particular constituency, and is the representative of that particular district, is also the representative and law maker of every county and every citizen of the territory. I assume that each and every one of you will deliberate and act upon the broad platform of the high and honorable position to which you have been called by your confiding constituencies, and I shall willingly share with you those great responsibilities, and sympathize in all your labors and efforts for the public good.

P. H. LESLIE.

Bounties for killing certain animals paid to the several counties from January 1st to August 23rd, 1887, for all animals for which bounties are paid:

To Beaverhead county	$ 560 10
To Choteau county	2,571 00
To Custer county	972 30
To Dawson county	1,866 90
To Deer Lodge county	266 30
To Fergus county	5,344 15
To Gallatin county	23,779 70
To Jefferson county	851 45
To Lewis and Clarke county	3,218 55
To Madison county	2,682 45
To Meagher county	2 290 05
To Missoula county	1,644 65
To Park county	1,595 90
To Silver Bow county	21 55
To Yellowstone county	397 50
Total	$48,012 55

PAID FOR SQUIRRELS AND PRAIRIE DOGS.

To Beaverhead county	$ 509 10
To Choteau county	1,091 00
To Custer county	86 30
To Dawson county	257 40
To Deer Lodge county	224 30
To Fergus county	5,087 15
To Gallatin county	23,338 70
To Jefferson county	818 45
To Lewis and Clarke county	3,039 55
To Madison county	2,467 45
To Missoula county	419 15
To Meagher county	2,164 05
To Park county	1,535 90
To Silver Bow county	21 55
To Yellowstone county	
	$41,060 05

BOUNTIES FOR BEARS, MOUNTAIN LIONS, WOLVES AND COYOTES.

To Beaverhead county	$ 51.00
To Choteau county	1,480.00
To Custer county	886.00
To Deer Lodge county	42.00
To Dawson county	1,609.50
To Fergus county	257.00
To Gallatin county	441.00
To Jefferson county	33.00
To Lewis and Clarke county	179.00
To Madison county	165.00
To Meagher county	126.00
To Missoula county	1,225.50
To Park county	60.00
To Yellowstone county	397·50
To Silver Bow county	
	$6,952.50

JAMES SULLIVAN, Auditor.

The reading of the Message being concluded the Governor departed and on motion of Collins.-

The joint session was dissolved, and the Council returned to the Council Chamber.

Council resumed
Mr President in the Chair
Roll called, Quorum present.

Kennedy by unanimous consent introduced C. J. R. No 1. Providing for extra Clerks for Council and House and compensation therefor.

Read first and second times.

On Motion of Kennedy.-

The rules were suspended, the resolution was read the third time by its title and passed by the following vote;-

Ayes; Batchelder, Cardwell, Collins, Holliday, Hundley, Kennedy, Rickards, Sutherlin and Mr President.--	9
Noes;-None	0
Absent; Pardee and Watters	2

Title agreed to.

On Motion of Collins:-

The Governors Message was referred to a special committee of three for distribution thereof to appropriate committees, and the Chair appointed Collins, Kennedy and Rickards such committee.

Notices of introduction of Bills were given as follows,

By Collins,-

A Bill for an Act to create the office of Commissioner of Emigration and to define his duties. Also.

A Bill for an Act to create the County of Cascade, to define its boundaries and provide for its

By Rickards:-
A bill for an Act to punish interference with Rail Road Tracks.

On motion of Collins:-
The Council adjourned until to-morrow morning at 10. o'clock

Attest
L. Davies
Ruling Chief Clerk

"Second Day."

Council Chamber.
Helena M. T.
August 30-1887.

Council met at 10 A.M. pursuant to adjournment.
Mr President in the Chair.
James K. Pardee, member of the Council from Deer Lodge County, appeared and took his seat.
Roll called Quorum present.
Prayer by the Chaplain.
The Journal of yesterday was read, ~~amended~~ corrected and approved.
Notices of introduction of Bills were given as follows:-
By Halliday; A Bill for an Act providing for representation in the Council of the Counties of Park and Fergus.
By Hundley.- A Bill for an Act entitled "An Act to amend the 4th Division of the Revised Statutes of Montana, entitled "Criminal Laws" approved February 16th 1883."
By Sutherlin;- "A Bill for an Act to amend an act to suppress and prevent dissemination of scab and infectious diseases among sheep, approved March 10th 1887."

The following report was received.
Mr. President.
The Committee to which was referred the Message of Hon. M. H. Kelly Governor, for distribution to appropriate committees, begs to recommend as follows:-
That all matters pertaining to revenue and revenue laws be referred to a special committee of three.
That all parts of the Message relating to licenses and license laws be referred to another special committee.
That all matters relating to bounty laws be referred to the committee on agriculture

All parts relating to obstructions of Rail Roads, the criminal code, and House joint resolution 7. approved March 10th 1887. be referred to the Judiciary Committee.

That all parts of the Message relating to care of the insane, be referred to a special committee of three.

We also offer the following concurrent resolution,—

Resolved by the Council, the House concurring, that all matters relating to Revenue and Revenue Laws be referred to a Joint Special Committee of three from the Council and five from the House,

That a like Special Committee be appointed to consider all matters and bills relating to Licenses, and that a like Special Committee be appointed to consider all matters and bills relating to the care of the insane.

Collins, Chairman.

On Motion of Kennedy;
The Resolution and Recommendations of the report, were adopted

Richards introduced C.B. No. 1:
"A Bill for an Act to punish interference with Rail Road Tracks," which was read first and second times, and on motion of Richards, referred to committee on Judiciary.

The following communication from the House was received

House of Representatives
Helena M. T. Aug 29th 1887.

Mr. President.—

I am directed by the House to inform your Honorable body, that Council Joint Resolution under a suspension of the rules, has passed the House and the same is herewith transmitted

David Marks
Chief Clerk.

On motion of Kennedy;
C.J.R. No. 1. was referred to Committee on Enrollment.

On motion of Kennedy:
Council took a recess until 2 P.M.

2 P.M.
Council Resumed
Mr President in the Chair.
Roll Called Quorum Present.

The following communication from the House was received:-
House of Representatives,
Helena M. T., August 30th 1887.
Mr President:-
I am directed by the House to inform your Honorable Body, that notices of the introduction of bills have been given as follows:-
By Mantle:- "A Bill for an Act to amend sections 1585 and 594 of Chapter 22 of the fifth division of the Revised statutes of the Territory of Montana" also
"A Bill for an Act to amend section 2 of an act concerning payment of jurors and witnesses in criminal cases in attendance upon the District Court approved March 8th 1887." also
"A Bill for an Act to amend an act relating to liens of mechanics and others approved March 9th 1887."
Mr Speaker has signed C.J.R. No. 1.
David Marks.
Chief Clerk

The following report was received.
Mr. President:
Your Committee on Enrollment to which was referred C.J.R. No. 1. providing for extra clerks, and compensation therefor, begs to report the same correctly enrolled
Kennedy
Chairman.

Notices of introduction of Bills were given as follows:-

By Richards, A Bill for an act entitled "An Act to amend an Act entitled 'An Act concerning the storage of Gun Powder'"

By Collins, "A Bill to amend Section 908 of the Rev. Stat. of Montana, relating to selling, destroying, concealing, removing or otherwise disposing of mortgaged property."

Mr President announced the signing of C.J.R. No 1.

The following communication from the House was received:-

House of Representatives
Helena M. T. Aug 30th 1871.

Mr President;-

I am directed by the House to inform your Honorable Body that notices of the introduction of bills have been given as follows:-

By Myth - "A Bill for an Act concerning of Police Magistrate in incorporated cities" also
"A Bill for an Act to enable cities of ten thousands and upwards to construct sewers."

By Marshall - "A bill for an Act to regulate trials in District Court in relation to instructions"

By Alderson - "A Bill defining the qualifications of voters at elections held in incorporated cities and villages" also
"A Bill providing for the legal and equitable distribution of water for irrigating purposes."

By Buckitt - "A Bill for the creating of the office of Attorney General for Montana Territory.

Bill by unanimous consent introduced H.B. No 1. "A Bill for an Act to establish and maintain a hospital for the insane."

Respectfully
David Morris
Chief Clerk

On motion of Hundley ...
The Council adjourned until tomorrow at 10. A.M.)

Attest

Ralph S. Lewis
Chief Clerk

"Third Day"

Council Chamber,
Helena M.T.
August 31st 1887.

Council met at 10 a.m. pursuant to adjournment.
Mr President in the Chair.
Roll Called. Quorum present.
Prayer by the Chaplain.
The Journals of yesterday was read and approved.
Hon. Walter A Burleigh, appeared, presented certificate, in due form, of his election as member of the Council from the County of Custer. The oath prescribed by law was administered to him by the Hon. Thomas C. Bach, associate Justice of the Supreme Court of Montana Territory, in presence of the Council, in open session, and Mr Burleigh was admitted to his seat in the Council.

Mr President, announced the appointment of Mr Burleigh in place of Thompson (resigned) as a member of each of the following committees, to wit: The Committee on Internal Improvements, Towns and Counties, Indian Affairs, Immigration, Roads and Highways, Herding and Stock Growing, and Military Affairs.

The following report was received—
Mr President—
Your Enrolling Committee asks to report that C.J.R. No. 1, relating to the employment of additional clerks and their compensation was presented to the Governor for his signature at 2.15 P.M. August 30th 1887.
Kennedy
Chairman.

The following communication from the Governor was received

The Territory of Montana.
Governor's Office.
Helena

August 30th 1887.

Gentlemen of the Council.

I have the honor to inform you that I have this day approved Council Joint Resolution No. 1. Providing for Clerks for "Council and House and compensation therefor."

Respectfully
D. H. Leslie.

The following report was received—

Mr. President—

The Judiciary Committee have considered that part of the Message of the Governor relating to obstructions to railroads and heartily agree with him in his recommendations.

We think C. B. No. 1. will, if passed, put a stop to the inhuman work of wrecking trains or justly punish the perpetrators of such fiendish crimes. We recommend the passage of the bill.

Collins.
Richards.
Holliday.

C. B. No. 1. was placed in general orders

Mr. President announced the appointment of Guy X. Pratt as assistant Clerk and Miss Mary Galbraith and A. C. Van Doren as Clerks of Committees in conformity with C. J. R. No. 1.

Holliday introduced C. B. No. 2.
"An act to apportion members of the Legislative Council to the Counties of Meagher, Fergus, Gallatin and Park"
Read first and second times and referred to Committee on Towns and Counties.

Collins introduced C. B. No. 3.
"A Bill for an act to create the County of Cascade, to define its boundaries, and to provide for its organization."
Read first and second times and on motion of Collins, referred to a special committee consisting of the members from Lewis and Clark, Meagher and Choteau Counties."

Hundley introduced C. B. No. 4.
"An Act to amend the 4th Division of the revised statutes of Montana entitled 'Criminal Laws' approved Feb. 16. 1883"
Read first and second times and referred to Committee on Judiciary."

The following communication from the House was received —

House of Representatives
Helena M. T. Aug 30th 1887.

Mr. President, —
I am directed by the House to inform your honorable body.
That, — The House has concurred in the Council Con-current resolution relative to the appointment of joint committees and in conformity therewith Mr. Speaker has made the following appointments on the part of the House:
On matters in reference to revenue The Ways and Means Committee of the House.
On matters concerning Licenses, — Mantle, Kanouse, Scobey, Brown and Taylor.
On matters relating to Insane — Blake, Marshall, Harwood, Hoffman and Page.
Bills by unanimous consent were introduced as follows:
By Ways and Means Committee H. B. No. 2.
"A Bill for an act to provide for the assessment and levy of taxes"
By Mantle: H. B. No. 3. — "A Bill for an act to amend section 594 of chapter 22 of the Fifth Division of the Revised Statutes."

Sabieds Martin
Chief Clerk

Mr. President.

In conformity with C. C. R. concerning the Governor's Message, referred the same to joint special committees as follows;

All matters pertaining to revenue were referred to Pardee, Collins and Holliday.

All matters relating to Licenses were referred to Kennedy, Pickards and Hundley.

All matters and Bills relating to the care of the Insane were referred to Sutherlin, Burleigh and Cardwell.

The Council resolved itself into Committee of the whole for the consideration of General Order. Kennedy in the Chair.

Council resumed. Mr. President in the Chair.

Kennedy, Chairman of Committee of the Whole reported progress in the consideration of C. B. No 1. and asked leave to sit again.

On motion of Cardwell,
Council took a recess until 2 P.M.

2 P.M.
Council resumed,
Mr. President in the Chair.

The following communication from the House was received

House of Representatives
Honolulu, T. I. Aug. 31st 1887.

Mr. President,

I am directed by the House to inform your honorable body.

That, notice of the introduction of bills have been given as follows:-

By Alderson. "A Bill for an Act authorizing incorporated towns and cities to issue bonds under certain restrictions".

By Taylor. "A Bill to amend section 452 of Article 9. of the fifth division of the Revised Statutes of Hawaii."

By Hanscom. "A Bill to provide for a commissioner of Mines."
By Kinnear. "A Bill to amend an act entitled an act concerning licenses, - also "A Bill for an act to amend an act regarding Roads and Highways."
Bills were introduced as follows.
By Marshall - H.B. No 4. A Bill for an act to regulate trial practice in District Courts relating to instructions.
By Math. - H.B. No 5. "A Bill for an act concerning the office of Police Magistrate in incorporated cities"
By Burlett. H.B. No 6. "A Bill for an act to create the office of Attorney General of Montana."
By Alderson. H.B. No 7. "A Bill for an act concerning the qualifications of voters in towns and cities."

David Morris.
Chief Clerk

The following report was received.
Mr President:-
Your committee on towns and cities to whom was referred Council Bill No 2. entitled an act to apportion members of the Legislative Council of Meagher, Cirque, Fallatin and Park, have had the same under consideration and beg leave to report the bill back with the recommendation that it do pass with the amended amendment.
Cardwell
Chairman

On motion of Kennedy.
C.B. No 2. was placed in General order

Richards introduced H.B. No 5.
"A Bill for an Act to amend an act entitled "An Act concerning the Storage of Gun Powder"
Read first and second time and referred to committee on Mines and Mineral.

On motion of Richards,
Council took recess until 3. P.M.

(3 P.M.)
Council Resumed
Mr. President in the chair.

The following communication from the house was received.-

House of Representatives
Helena M.T. Aug. 31. 1887.

Mr. President,-

I am directed by the house to inform your honorable body that the house has adopted the following concurrent resolution:

Resolved by the House and Council concurring that the Extra ordinary session of the fifteenth Legislative assembly of Montana do adjourn without date on the 10th day of September A.D. 1887. at 12. M.

David Marks.
Chief Clerk

Cardwell moves that the concurrent resolution be adopted which was lost by the following vote.

Ayes: Batchelder, Holliday, Mr. President. --- 3.
Noes, Clough, Cardwell, Collins, Finnally, Kennedy, Pickards, Sutherlin. --- 7
Absent, Pardee, Waters. --- 2.

The following communication from the House was received.-

House of Representatives
Helena M.T. Aug. 31st. 1887.

Mr. President,-

I am directed by the House to inform your Honorable Body, that under a suspension of the rules H.J.R. No 1. has passed the House and the same is herewith transmitted.

House introduced H.B. No 8. "A bill for an act to amend an act entitled an act concerning Licenses approved March 10th 1887"

David Marks
Chief Clerk

A. J. R. No. 1. was read first and seconds times.

On motion of Kennedy.- The rules were suspendeds, the resolution was read the thirds time by its title, plaieds on its final passage andd lost by the following vote:

Ayes:- Burleigh, Handley, Kennedy, Richards, Sutherlin 5

Noes:- Batchelder, Cardwell, Collins, Holliday, Mr President 5

Absent.- Pardee, Waters. 2

On motion of Cardwell.- Council adjourneds until tomorrow at 10. A.M.

Attest

R. L. Davis
Actg Chief Clerk

"Fourth Day."

Council Chamber
Helena M. T.
September 1st 1887.

Council met at 10 am pursuant to adjournment.
Mr President in the Chair.
Waters from Yellowstone and Dawson Counties appeared and took his seat.
Roll called. Quorum present.
Prayer by the Chaplain.
Journal of yesterday read, corrected and approved.
Sutherlin gave notice of the introduction of "A bill for an act to protect the breeders of live stock in the Territory of Montana."

Burleigh by consent introduced "A bill for an act to repeal an act to amend an act relative to bounty for killing certain animals, approved March 8th 1883. approved March 5th, 1887"

The following report was received
Mr President.-

Your special committee composed of the members from Meagher, Choteau and Lewis & Clark have duly considered C.B. No 3. A bill for an act to create the County of Cascade and do recommend that the same be amended as follows.-

Kennedley.
Collins.
Sutherlin.

Amendments to C.B. No 3.

No. 1. - Amend section one, sixth line from bottom of first page after the words "fifteen north" add "to the south east corner of township sixteen north, range ten east; thence north along the east boundary of range ten east." and strike out the words "to the westerly boundary line of Fergus County, thence north easterly along said Fergus County ~~thence north easterly along said Fergus County~~ boundary line" near the end of last page sec. one

No. 2. — Amends Section two by striking out after the words "Meagher", in first 2 the words and "Lewis and Clarke" and in same Section on first line of page 3 after the word "dollars" strike out "and to the said County of Lewis & Clarke the County of Cascade shall be liable for and shall pay the sum of five thousand dollars" also insert the words "and" after the word "Choteau" in second line of Sec. 2.

No. 3. Amend Section 5 by striking out "Robert Vaughn" and inserting "J. A. Harris" and by striking out E. R. Hedges and insert "J. A. Hall".

No. 4. Amends Sec. 12 by adding as follows:

Provided that part of Meagher County east of range ten east and north of the north boundary of Township fifteen north shall be added to and made a part of Fergus County. And that part of Fergus County west of range eleven east and south of the north boundary of Township fifteen north shall be added to and made a part of Meagher County.

On motion of Collins,
The amendments to H. B. No. 3, were adopted, and the bill as amended was placed in general orders.

On motion of Collins
The following Concurrent Resolutions were adopted.

Resolved by the Council, the House concurring, that from and after Saturday, September 3rd 1887 at 10 o'clock A.M. no bill shall be introduced in either House unless it is fifty words at length.

Three objections shall after the reading of each bill.

Collins.

The Council resolved itself into Committee of the whole for the consideration of general orders Kennedy in the chair & Council resumed.

A communication from the House was received.

Council resolved itself into Committee of the whole for the consideration of Journal. Lord of Kennedy in the Chair.

Council resumed, Mr. President in the Chair.

Kennedy Chairman of Committee of the whole reported progress, and asked leave to sit again.

The following communication from the House was received.

House of Representatives
Helena, M. T. Sept 1st 188

Mr. President:

I am directed by the House to inform your Honorable Body That
Notice of the introduction of bills have been given as follows:
By Marshall - "A bill for an act to provide for the condemnation of lands for railroad purposes."
By Holt - "A bill to provide for the payment of stock killed by railroads"
Marshall introduced H.B. No. 8 "A bill for an act to amend an act to amend an act to amend an act relating to the organization of mechanic lien claims, approved March 9th 1887."
H.B. No. 8 had passed the House and the same is respectfully transmitted herewith.

Respectfully,
Chief Clerk.

On motion of Kennedy.
Council took a recess until 2 P.M.

2 P.M.

Council resumed.
Mr. President in the Chair.
Roll called, members present.

H.B. No. 5 was read first and second times and referred to Committee on Judiciary.

The following Report was received.

Mr. President:

Your Committee of the Whole have had under consideration C.B. 1, to punish interference with railroad tracks, and would recommend its passage with the accompanying amendments.

Kennedy, Chairman.

The motion of Kennedy, Amendments Nos. 1 and 2 were adopted and the following amendment was rejected, —

"Add after the word "provide" "Amender in the first degree" in line 11, Sec 1, the following — "And it shall not be necessary for the People to allege or prove, in any such case, that the person thereby intended to injure or endanger the life of any particular person or persons."

The Bill as amended was ordered engrossed.

The following Communication from the House was received.

House of Representatives
Helena, Mont. Sept. 1. 1887

Mr. President:

I am directed by the House to inform Gen. Commander that Council Concurrent Resolution, the reference to the introduction of bills has been laid on the table.

Warren Clarke.
Chief Clerk.

The following Report was received.

Mr. President:

Your Judiciary Committee have considered C.B. No. 4 to amend the 4th division of the criminal statutes, and

Montana entitled "Criminal Laws", and recommend that the bill do pass. The title should be amended at proper time by inserting "Compiled Laws" instead of "Revised Statutes".

Wallin
Chairman.

C.B. No. 4 was placed on general orders.

The following communication from the Governor was received.

TERRITORY OF MONTANA,
GOVERNOR'S OFFICE,
HELENA, September 1st, 1887.

Gentlemen of the Council and House of Representatives:

Arrangements have been made and are in process of completion for a great celebration on the 15th, 16th, and 17th days of September, 1887, in the city of Philadelphia in the state of Pennsylvania, in commemoration of the centennial anniversary of the framing and promulgation of the constitution of the United States; and the proper committees in charge of the enterprise at that city have made a cordial invitation to the people of Montana and urged that their governor and such others as they shall direct be present and participate in the ceremonies of that occasion, and have also urged that the militia of the territory be represented, uniformed and equipped, at the celebration in order that it may take part in the grand parade of the military and naval forces of the United States and the military forces of the several states and territories.

It is my pleasure to lay this subject before your honorable body, and solicit your prompt and favorable consideration thereof.

It is a matter of public notoriety that almost every state and territory in the Union (if not all) has made provision for the appointment and attendance of representatives to be present at that national meeting in their behalf, and many of them have made liberal provision for their militia to be there in full uniform and equipped for participation in the ceremonies which will be the most imposing and grand of the occasion.

This meeting is intended to be one which in grandeur, dignity and instructive force will equal any one ever assembled on the American continent, and that its lessons of love and patriotism shall warm, refresh the hearts of American freemen, and awaken reverence amongst the people for the supreme charter of their liberties.

I regret that circumstances and the force of official duty will prevent my personal attendance and sharing in the honor and pleasures of that great centennial gathering.

I recommend that you make such provision for the representation of this territory in that celebration as your judgment shall dictate is proper and fitly due from its people.

Respectfully,
P. H. LESLIE.

On motion of Richards.
The communication was referred to special committee, appointed by the Chair, and consisting of Richards, Kennedy and Handley, &

Wallin for consent introduced C.B. No. 5 "A bill for an act to protect the inhabitants of Stock in the Territory of Montana". Read first and second time and referred to committee on Fencing and Stock Growing.

On motion of Kennedy.
The Council resolved itself into Committee of the whole for the consideration of general orders. Kennedy in the Chair &

Council resumed.
Mr. President in the Chair.

Mr. Wallace gave notice of introduction of a bill for an act concerning Appeals, also concerning instructions to Juries, also concerning new trials.

On motion of Kennedy, the Council resolved itself into Committee of the whole, for the consideration of general orders.
Kennedy in the Chair.
Council resumed
Mr. President in the Chair.

The following Report was received.
Mr. President.
Your Committee of the whole would report that it has had C.B. 2 to report without amendment, C.B. 3 to Council to Meagher, Hogan, Gallatin and Park counties, and after consideration report it recommend its passage with the accompanying amendments.
Kennedy, Chairman.

On motion of Kennedy,
The amendment to C.B. No. 3. was adopted, - ordered engrossed.
The following Report was received.
Mr. President.
Your Committee of the whole would report that it has had C.B. 2 to report without amendment C.B. 3 to Council to Meagher, Hogan, Gallatin and Park counties, after consideration report it recommend its passage with the accompanying amendments.
Kennedy
Chairman.

On motion of Kennedy,
The amendments to C.B. No. 2 were adopted, - and the bill was referred to the committee on engrossment.

Mr. Gilliam presented petition of 438 citizens of Whatcom, Lewis & Clarke counties & Pierce County asking creation of the County of Cascade — Ordered filed, to be forwarded to the House.

The following report was received.

Mr. President:

Your engrossing Committee to which was referred C. B. No. 3 creating the County of Cascade beg to report the same correctly engrossed.

Wednesday
Adriance.

C. B. No. 3 was placed on Calendar for third reading.

On motion of Mr. Randolph the Council adjourned until to-morrow at 10 A.M.

Rufus L. Davis
Chief Clerk.

"Fifth Day."

Council Chamber
Helena M. T.
September 2. 1887.

Council met at 10. A.M. pursuant to adjournment.

Mr. President in the Chair.
Roll called. Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.
The following communication from the House was received

House of Representatives.
Helena M. T. Sept 1st 1887.

Mr. President:
I am directed by the House to inform your Honorable Body —
First —
That the veto order of "a bill for an act to amend an act relating to Incorporation of Municipal Corporations" approved March 10th 1887.
Was introduced by unanimous consent H.B. No. 10 An act to apportion Members of the House of Representatives of the Legislature of Montana".

David Marks
Chief Clerk.

The following reports were received.
Mr. President:
Your Committee on Grazing and Stock Growing to whom was referred H.B. No. 9 A bill for an act to protect the breeders of live stock &c. have had the same under consideration and beg leave to report the same back with the recommendation that the words Stallion and Jackass be stricken out and the words

lows it may appear, and as amended do pass.

H. Lindley
Chairman.

Mr. President:

Your Engrossing Committee to which was referred H. B. No. 1 an act to prevent interference with R. R. tracks C. B. No. 2 giving representation in Council to Park and Fergus Counties respectfully report the same correctly engrossed.

Holliday
Chairman.

Mr. President

Your Committee on Mines and Minerals to whom was referred H. B. # 5 concerning storage of Gunpowder, respectfully return the same with recommendation that it do pass.

J. E. Rickard.
For Committee.

On motion of Mr. Lindley the amendments to H. B. No. 1 were adopted and the bill placed on General Order.

H. Bills Nos 1 and 2 were placed on Calendar for third reading.

H. B. No. 5 was placed on General order.

Bills for introduction of bill were given as follows.

By Mr. Lindley: A bill for an act to protect the citizens of Montana from spirituous, and fermented liquors sold in the Territory of Montana under the name of Absinthe, Absinthe, Absinthe bitters, Ale, Wines, Cream, Wines, &c., lager beer, wine, beer, whiskey, brandy or other beverages.

By Kennedy. A bill for an act to amend an act entitled "An act concerning marriages, approved March 9, 1887."

Sutherlin introduced C. B. No. 8
A bill for an act to amend an act
entitled "An act to suppress and
prevent the dissemination of Scab and
Infectious diseases among Sheep, approved
March 10th 1887.
Read first and second time and
referred to Committee on Grazing
and Stock growing.

Burleigh offered the following con-
-current resolution — which on motion
of Collins was adopted.

Be it resolved, by the Legislative
Assembly of the Territory of Montana.

Whereas: at the last session of the Legislature
ample appropriation was made for
printing the laws of the territory upon
the assurance of the Secretary of this
Territory that said laws would and
should be printed by July 1st 1887.
And nearly eighteen months having passed
since the adjournment of the last
session without the laws having been
printed; and it being understood
that it will still be a considerable
time before the laws are printed,
and that public interests as well as
the convenience of this Legislature
suffer from the delay,
Be it Resolved, the House concurring,
that a committee of five members,
two from the Council and three from
the House be appointed to investigate
the matter of the printing of the laws,
and to ascertain what causes have
occasioned the long delay and report
if any body is responsible therefor
and to recommend to the Legislature
such action as may be appropriate.
That such Committee have power to
send for persons and papers administer
oaths and examine witnesses.

M. A. Burleigh.

C.B. No. 1 was read the third time and passed by the following vote:
Ayes: Batchelder, Burleigh, Cardwell
Collins, Holliday, Mundley
Kennedy, Richards
Sutherlin, Waters Mr. President
=11

Noes none 0
Absent Pardee 1
Title agreed to.
C.B. No. 2 was read the third time and passed by the following vote:
Ayes: Batchelder, Burleigh, Cardwell,
Collins, Holliday Mundley
Kennedy Richards Sutherlin
Waters, Mr President, 11.

Noes none 0.
Absent Pardee 1.
Title agreed to.
On motion of Collins the rules were suspended. C.B. No. 3 was read the third time, by its title and passed by the following vote:
Ayes: Burleigh, Cardwell, Collins
Holliday, Richards; Sutherlin
Waters, Mr. President 8,
Noes: Batchelder, Mundley, Kennedy, 3
Absent Pardee. 1
Title agreed to.

The Council resolved itself into Committee of the whole for the consideration of general order.
Burleigh in the Chair.

Council resumed.
Mr. President in the Chair.

The following report was received:
Mr. President,
Your Committee of the whole respectfully report that the following bills have been considered, and to recommend

the substitute therefor herewith presented and that as amended, the bill do pass
That C. B. No. 7. be laid on the table,
That C. B. No. 5. - do pass.

W. A. Burleigh
Chairman.

On motion of Kennedy
The substitute for C. B. No. 4. was adopted in lieu of the original bill and referred to Committee on engrossment.

On motion of Kennedy.
C. B. No. 7 was laid on the table, by the following vote:
Ayes: Batchelder, Cardwell, Holliday, Kennedy, Rickards, Waters 6
Noes: Burleigh, Collins, Hindley, Sullivan, Mr. President 5.
Absent: Porter 1.

On motion of Kennedy,
C. B. No 5 was referred to committee on engrossment.

Collins introduced C. B. No. 9,
"A bill for an act creating the office of Commissioner of Emigration"
& Read first and second time and Referred to Committee on Immigration.

Kennedy introduced C. B. No. 10,
A bill for an act amending an act entitled "An act concerning Marriages" approved March 14 1887;
Read first and second time, and referred to committee on Education and Labor.

The following communication from the House was read.

House of Representatives
Helena, M. T. Sept 21st 1887.

Mr. President
I am directed by the House to

[illegible]

That —
Notice of the introduction of Bills have been given as follows:
By White — "A bill concerning School Text book Commission"
By Bruch — "A bill to amend an act relating to Marriage"
Approved March 9th 1887.
Messrs. Page and Hammond were added to the joint Committee on Matters concerning revenue.
Bills were introduced as follows.
By Marshall. H. B. No. 110
"A bill for an act to provide for the condemnation of lands for Rail Road purposes.
By Bruch = H. B. No 12 "A bill for an act to enable certain cities to incur indebtedness.
By Mantle = H. B. No. 13. "A bill for an act to amend an act relating to the formation of Municipal Corporations"
Approved March 18th 1887.
House Bills Nos 4 and 7 have passed the House and they are therewith transmitted.
The House have adopted Concurrent Resolution in reference to the appointment of a joint Committee regarding the investigation of the printing, that leave be had in the Committee therewith Mr. Speaker has appointed Messrs. Marshall Kaufman and Scott on the part of the House.

David Marks.
Assist. Clerk.

Mr. President appointed Messrs Lynch and Collins to act on the part of the Council as the joint Committee on the part of the Council.

Council took a recess until 2 P.M.
2 P.M.

Council resumed,
Mr. President in the Chair.
Roll called: Quorum present.

H.B. No. 4 was read first and second times and referred to Committee on the Judiciary.

H.B. No. 7 was read first and second times and referred to Committee on Elections.

On motion of Kennedy.
The Council adjourned until tomorrow at 10 o'clock A.M.

Reuben L. Davis
Acting Clerk.

"Sixth Day."
Council Chamber.
Helena, M. T.
September 8th 1887.

Council met at 10 am M. pursuant to adjournment
Mr. President in the Chair.
Roll called; Quorum present.
Prayer by the Rev. Mr. Streator.
Journal of yesterday read and approved.
The following reports were received.
Mr. President
Your committee
to which was referred C. B. No. 4.
A bill to define the Jurisdiction of the Peace; C.B. No. 5. A bill relating to the Storage of Gunpowder, beg to report them severally engrossed.
Hall, Chairman
Matherson.

Mr. President Your Committee on "Engrossing and Enrolling" to whom C.B. No. 8 was referred have examined the same,
and refer the same back without recommendation
Wendlee.

C. Bills No 4 and 5 were placed on Calendar for third reading.

C.B. No. 8 was placed in general order.

Hallihan (by consent) introduced C.B. No. 11 "A bill for an act to provide for disposing certain records from Lewis & Clark County to Park County" Read first and second time and referred to Committee on Counties and Municipal Corporations.
Handley - introduced C.B. No. 12 "A bill for an act to protect owners

in the sale of soda water, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, berliner weiss beer, or other beverages".
Read first and second time and referred to Committee on Judiciary.

C.B. No. 4 was read the third time and passed by the following vote:
Ayes: Batchelder, Burleigh, Handley, Collins, Cordwell, Holliday, Kennedy, Pardee, Richards, Sulhofer, Walton, Mr. President 12.
Noes — 0
Title agreed to.

C.B. No. 5 was read third time and passed by the following vote:
Ayes: Batchelder, Burleigh, Cordwell, Collins, Holliday, Handley, Kennedy, Pardee, Richards, Sulhofer, Walton, Mr. President 12
Noes — 0
Title agreed to.

The Council resolved itself into Committee of the whole for the consideration of general orders.

Council resumed.
Mr. President resumed the chair.

The following report was received.

Mr. President:
Your Committee to which was referred C.B. No. 8 respectfully report back C.B. No. 8 (herewith) and with the recommendation that the same do pass.
Handley Chairman.

On motion of Collins,
C.B. No. 8 was referred to Committee on Engrossment.

Remedy by consent from notice.
Q. introduction of a bill to amend
an act entitled "An act relating
to assessment and levying of taxes"
Approved March 10th 1887

On motion of Bardwell,
Council takes a recess until 2 P.M.

2 P.M.

Council resumed
Mr. President in the Chair.
Roll called, Quorum present,

The following reports were received,

Mr. President.
The Majority of your Committee
to whom was referred H. B. No. 7. A
bill for an act defining the qualifi-
-cations of voters in incorporated
towns and cities respectfully
report the same back with the
recommendation that it do
pass.

Yates
Chairman.

Mr. President
Differing with my
brethren which - Messrs Cady - Gray - Gran-
-Miller and Eldredge - I submit a
report of H. B. No. 7. entitled
"Qualification of voters in incorporated
towns and cities" respectfully
recommend that the Bill do not pass.

J. E. Rickard.

Mr. President
Your Committee on Towns
and Counties to whom was referred
S. B. No. 11, entitled, "An act to provide
for the formation of certain second
class towns adjacent to Parks Corners" have
had the same under consideration
and report the bill back with the
recommendation that it do pass

Cardwell. Chairman

On motion of Kennedy H. B. No. 7 and H. B. No. 11 were placed on general orders.

Collins introduced (without objection) the following Bills.
H. B. No. 13: "An act concerning instructions to juries"; also:
H. B. No. 14: "A bill for an act concerning gun tricks"; also:
H. B. No. 15 "A bill for an act concerning appeals".

Which were read first and second time and referred to Committee on Judiciary.

The following communication from the House was received.

House of Representatives
Helena M. T. Feb 3rd 1887.

Mr. President:
I am directed by the House to inform your Honorable Body.
That —
Bills were introduced as follows:
By Taylor H. B. No. 14 "A Bill for this act concerning the terms of County Assessors".
By White — H. B. No. 15 "A bill for an act concerning the School text books".
By Powell — H. B. No. 16 "A bill for an act to establish the office of Commissioner of Mines".
By Marlett H. B. No. 17 — "A bill for an act to repeal an act to prevent the dealers of gambling in pools, in banking or checks". Approved February 18th 1887.
By Marlett H. B. No. 18 "A bill for an act to amend an act to regulate gambling". Approved March 9th 1887. H. B. Bills Nos 3 to 6 have passed the House and they are here with transmitted.
I am directed by the House to request

H.B. No. 3 was read first and second times, and referred to Committee on Mines and Minerals.
H.B. 6 was read first and second times and referred to Committee on Judiciary. By consent the following bills were introduced

By Bousleigh: H.B. No. 16 "A bill for an act relating to mortgages in New Tariff"
Also:
H.B. No 17 "A bill for an act to amend an act authorizing the appointment of Stenographers by the District Courts" approved March 18th 1882.
Which were
Read first and second times and referred to Committee on Judiciary

Waters introduced H.B. No. 18: "A bill for an act to further define the boundaries of Yellowstone County"
Also petition of Residents of the Territory including the Bill praying for the same.
Read first and second times, and referred to Special Committee consisting of the Members from Yellowstone Meagher & Gallatin Counties:

Leave of absence was granted to Richards until Monday next at 12 M.
And to Parker until Tuesday morning next

On motion of Matthews:
The Council adjourned until Monday next at 10 A.M.

Reuben D. Davis.
Chief Clerk.

"Eighth Day"

Council Chamber,
Helena M.T. Sept. 5th 1887.

Council met at 10 A.M. pursuant to adjournment.

Roll called. (Quorum) present.

Journal of Sept. 3rd read and approved.

On motion of Cardwell, Walsh was granted leave of absence until to-morrow.

Holliday presented remonstrance of 126 residents of Bozeman against the passage of H.B. No. 7: also petition signed by 76 residents of same place praying for passage of the bill, which were ordered filed.

A remonstrance of residents of Absaloka County against division of Park County was presented, ordered filed.

The following reports were received.

Mr. President:

Your Committee on Immigration to whom was referred H.B. No. 57; providing for the creation of the office of Commissioner of Immigration, ask leave to report the same back to the Council with the recommendation that it do not pass.

Respectfully
Sutherlin.

Mr. President:

Your Committee on Government to which was referred H.B. No. 8: relating to the prevention and suppression of death and infectious diseases among sheep - Respectfully report the same back to the Council with the recommendation that it do not pass.

H. Muldown Chairman

C. B. No. 8 was placed on Calendar for third reading.
C. B. No. 9 was placed on general orders.

Sutherlin gave notice of introduction of "A Bill for an act to amend an act entitled "An act to encourage tree planting and arboriculture in Montana" approved Feb 28, 1887.

On motion of Batchelder,

The third reading of C. B. No. 9 was postponed until to-morrow.

Kennedy moved that the Council take a recess until 2 P. M. to-day.

On motion of Burleigh, the Council adjourned until to-morrow at 10 A.M.

Reuben S. Davis
Chief Clerk

Ninth Day

Council Chamber
Helena M.T. September 6th 1887.

Council met at 10 a.m. pursuant to adjournment.
Roll called, Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.
The following report was received.
Mr President:-
Your Committee on education and labor has had under consideration C.B. No 10., amending the marriage license law, and would recommend the adoption of the accompanying amendments and that as thus amended the bill do pass.
J. E. Rickards.

On motion of Kennedy:
The amendments to C.B. No 10. were adopted and the bill was placed in general orders.

Sutherlin gave notice of introduction of a bill for an act to regulate appeals from Probate and Justices' Courts.

Sutherlin introduced C.B. No 19: A bill for an act to amend an act entitled "An act to encourage the planting and arboriculture". approved February 28th 1887."
Read first and second times and referred to Committee on Agriculture and Manufacture.

The following communication from the House was received.-
House of Representatives.
Helena, M.T. Sept. 6th 1887.
Mr President:-
I am directed by the House to inform your Honorable body, That- Marshall introduced H.B. No 20. "An act to amend an act entitled an act requiring the publication of certain matters.

the same is herewith transmitted.
David Marks.
Chief Clerk.

H.B. No 8. was read first and second times and referred to Committee on Ways and Means.

C.B. No 8 was read the third time and lost by the following vote.
Ayes; Collins, Richards, Sutherlin
Mr President — 4
Noes; Batchelder, Burleigh, Cardwell, Holliday, Hundley, Kennedy, Pardee. — 7
Absent: Waters

The Council resolved itself into Committee of the whole for the consideration of general orders.-
Pardee in the Chair.

Council resumed
Mr President in the Chair.

Pardee Chairman of committee of the whole reported progress and asked leave for the Committee to sit again.

On motion of Collins;-
Council took recess until 2. P.M.

2. P.M.
Council resumed
Mr President in the Chair.
Roll call. (Quorum) present.

On motion of Hundley;
The Council resolves itself into Committee of the whole for the consideration of general orders.
Pardee in the Chair.

Council resumed.
Mr President in the Chair.

A communication from the House was

Council resolved itself into Committee of the whole for the consideration of general orders.
Pardee in the Chair.

Council resumed
Mr President in the chair.

Mr President.
The Committee of the whole respectfully report that H.B. No 7. has been considered, and do recommend the amended amendments thereto and that as amended the bill do pass.
Pardee. Chairman

On motion of Kennedy.-
The amendment, strike out the words "and none other" after the word "Legislature" in line 1.- Sec. 1.- was adopted

On motion of Collins.-
The amendment.- "Strike out after the words 'vote' in line 26, all the balance of the Section"; was adopted by the following vote.-
Ayes.- Burleigh, Cardwell, Collins, Holliday, Hundley, Pardee, Richards, Sutherlin. — 8
Noes,- Batchelder, Kennedy, Mr President. 3.
Absent.- Nature. 1.

On motion of Collins.
Section 2, was amended by inserting after the word "Knowingly" the words "intentionally."

The amendments were ordered engrossed

The following communication from the House was read.
House of Representatives.
Helena M.T. Sept. 6th 1887.
Mr President.
I am directed by the House to inform your honorable body.- That

given as follows,-
By Buckett,- A Bill to provide for a Territorial Penitentiary.
Bills have been introduced as follows.-
By Judicial Committee, H.B No 21. "A Bill for an act appropriating money to aid in the codification of the Laws of the Territory of Montana.
By Taylor,- H.B. No 22. "A Bill to prevent running cattle and horses by dogs."
By Committee on Grazing and Stock ~~Growing~~ Raising H.B. No 23. "An act to amend section 285 of the 4th Division of the compiled statutes of Montana.
By committee on Grazing and Stock Raising.- H.B. No 24. "An act to amend section 172 of the Fifth division of the compiled Statutes of Montana.
By Mock,- H.B. No 25 "A bill for an act to amend an act entitled "an act to amend Sections 71-77-80 and 81 of the Fifth Division of the revised Statutes of Montana, increasing the salaries and bonds of the Territorial Auditor and Treasurer, approved March 5th 1887."
By Marshall,- H.B. No 26. "~~A Bill for an act to amend an act~~ An act authorizing the appointment of Deputy clerks and recorders in Mining Districts
By Mantle, H.B. No 27. "A Bill for an act to amend an act concerning roads and highways, approved March 9th 1887."
By Mantle,- H.B. No 28. "A Bill for an act entitled relating to the registration and qualifications of voters.
House bills No. 18 and 19 have passed the House and are herewith transmitted
David Mantle
Chief Clerk.

H.B. No 19. was read first and second times and referred to committee on agriculture and Manufactures.

On motion of Collins,
The rules were suspended
H.B. No 18

times by its title and referred to Committee on Printing.

The following reports were received:
Mr. President,-
Your Judiciary Committee have considered H.B. No 6. "An act to create the office of Attorney General" and beg leave to report the same back with the recommendation that it pass.
Collins, Chairman.

Mr. President.-
Your Judiciary Committee have considered C. B. No 17. "An act to amend an act authorizing the appointment of Stenographers by the District Courts", and recommend that the same be amended as annexed, and as so amended that it pass.
Collins: Chairman.

H.B. No 6 and C.B. No. 17. were placed in general orders.

On motion of Collins,-
The Council adjourned until to-morrow at 10 o'clock A.M.

Reuben L. Davis
Chief Clerk

Tenth Day.

Council Chamber
Helena M. T. Sept. 7th 1887.

Council met at 10. A.m. pursuant to adjournment.
Mr. President in the chair.
Roll called, Quorum present.
Journal of yesterday read and approved.

Rickards presented a petition of citizens of Butte City - Silver Bow County. Asking for an amendment of the law by reducing the amount of licenses of Hacks, Carriages &c. Referred to Committee on ways and means.

The following Reports were received.

Mr. President:

Your Committee on Agriculture and Manufactures to whom was referred H.B. No 19 A bill for an act concerning the bounty for killing certain wild animals have had the same under consideration and beg leave to report the bill back with amendments and as so amended recommend the passage of the bill

Bardwell
Chairman.

Mr. President:

Your Committee on Agriculture and Manufactures to whom was referred H.B. No. 19 A bill for an act entitled an act to encourage Tree planting and Arboriculture, in Montana have had the same under consideration and beg leave to report the Bill back with the recommendation that it do pass.

Bardwell
Chairman

Mr. President:

Your Committee on Agriculture and Manufactures to whom was referred H. B. No. 6. entitled a bill for an act to repeal an act to amend an act, relative to bounty for killing certain wild animals approved March 8th 1883. approved March 5th 1887. have had the same under consideration and report the Bill back without any recommendation.

Cardwell
Chairman,

Mr. President —

Your Committee on Engrossment to which was referred, C. Amendments to H. B. No 7. "Defining the qualification of voters in incorporated towns and Cities" respectfully report them back correctly engrossed.

Holliday
Chairman.

H. B. No 19; H. B. No. 19; and H. B. No 6. were placed on general orders.
H. B. No. 7 was placed on calendar for third reading.

Kennedy gave notice of introduction of "A bill creating the office of District Attorney and prescribing the duties thereof"

Sutherlin introduced H. B. No 20; "A bill for an act to regulate appeals from Probate and Justices Courts". Read first and second times and referred to Committee on Judiciary

H. B. No 7 was read the third time and passed as amended by the following vote, Ayes: Burleigh Cardwell Collins Holliday, Kennedy, Waters. Mr. President. 7.
Noes: Batchelder Kennedy, Porter, Richards Sutherlin 5.

The Council resolved itself into Committee of the whole for the consideration of general orders.
Hundley in the Chair.
Council resumed, Mr. President in the Chair.
A communication from the House was received.

The Council resolved itself into Committee of the whole.
Hundley in the Chair.
Council resumed.
Mr. President in the Chair.

A communication from the Governor was received.

Council resolved itself into Committee of the whole.
Hundley in the Chair.
Council resumed.
Mr. President in the Chair.

The following report was received.

Mr. President
Your Committee of the whole having considered, respectfully report the same back and recommend
That the annexed amendments to C. B. No 11 be adopted and that as amended the bill do pass.
That C. B. No 9 be referred to a Special committee of three.
That C. B. No 10 as amended do pass
Hundley.

On motion of Sulkshire
The amendments to C. B. No. 11 were adopted ordered engrossed.

Collins moved that C. B. No. 9 be referred to a Special Committee of three, which was carried and the Chair appointed Richards Collins and Sulkshire such Committee.

C. B. No. 10 was ordered engrossed.

The following communication from the Governor was read,

The Territory of Montana, Governor's Office.
Helena August 31st 1887.

Gentlemen of the Council:

In compliance with the provisions of the law found in that act entitled "An act relating to assessment and levy of Taxes" approved March 10 1887 and especially the sections 5, 11, and 35 thereof, I nominate and recommend for your advice and consent to be members of the "Territorial Board of Equalization" the following named persons; to-wit:

Charles E. Conrad of the County of Choteau for the First Judicial District

N. E. Clarke of the County of Silver Bow for the Second Judicial District,

L. S. Wilson of the County of Gallatin for the Third Judicial District, and

Alfred Myers of the County of Yellowstone for the Fourth Judicial District, Each of whom is a qualified elector and a Tax holder.

Respectfully,
T. H. Kleinsmith.

The communication was referred to Committee on Ways and Means.

The following communication from the House was read.

House of Representatives,
Helena M. T. Sept. 7th 1887.

Mr. President:

I am directed by the House to inform your honorable body, that

Bills have been introduced as follows:
By Bro Kelly – H. B. No 29 – "An act to provide for a Territorial Penitentiary"
By Alderson – H. B. No. 30 – "A bill for

By Much (by unanimous consent)
S. C. B. No. 32 A bill for an act to amend an act entitled an act to provide for Deputy County Treasurers, and to fix their compensation — Approved Feby. 18th 1887.
6 Bills No's 1 and 4 have passed the House and they are here with transmitted
David Marks.
Chief Clerk.
S. Bills No's 1 and 4 were referred to Committee on Enrollment.

On motion of Sutherlin
Council took a recess until 3 o'clock P. M.
3. P. M.
Council resumed.
Mr. President in the Chair.
Roll called. Quorum present.
The Council resolved itself into Committee of the whole for the consideration of general orders.
Porter in the Chair.
Council resumed.
Mr. President in the Chair.
The following report was received.
Mr. President
I am instructed by the Committee of the whole to report back S. Bills 17 and 19 and to recommend,
That the committee amendments to S. B. 17 be adopted and that the bill as amended do pass.
That S. B. No 19 do pass.
That S. B. No 6 and S. 19 and S. B. No 6. be recommitted for further consideration.
J. H. Porter
Chairman.

On motion of Kennedy
The amendments to S. B. 17 were adopted.
S. B's No's 17 and 19 were referred to Committee on Engrossment.

On motion of Collins H. B. No 13 was recalled from Committee on printing and referred to Committee on Towns and Counties.

On motion of Batchelder.
The vote by which H. B. 8 was lost on yesterday was reconsidered and on motion of Collins the bill was referred to a Special Committee of three consisting of Batchelder Silliman and Collins.

On motion of Burleigh.
The Council adjourned until to morrow morning at 10 o'clock.

Reuben L. Davis
Chief Clerk.

Eleventh Day.
Council Chamber,
Helena M. T. Sept. 8th 1887.

Council met at 10, A. M. pursuant to adjournment.

Mr. President in the Chair.
Roll called. Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

The following Reports were received.

Mr. President:

Your Engrossing Committee to which was referred C. B. No. 11 providing for transfer of certain Records from Gallatin County C. B. No. 17 authorizing the appointment of Stenographer in District Courts. C. B. No. 19 concerning Tree planting and Arboriculture. — Respectfully report the same correctly engrossed.

Wallidow,
Chairman.

Mr. President:

Your Enrolling Committee to which was referred C. B. No. 4 defining disturbance of the peace, C. B. No. 1 act to punish interference with Railroad tracks, Respectfully report them back correctly enrolled.

Kennedy
Chairman.

Mr. President:

Your Joint Committee upon the subject of a Revenue Law, having carefully considered the same beg leave to report the Bill attached and said subject herewith accompanying, which they recommend be added to and that

as a substitute for H. B. No. 2

T. H. S. M.

Burleigh.
Holliday.

Kanouse.
Page.
Alderson.
Mantle.
Brokell.
Harwood.

Joint Committee on Revenue.

The bill and a duplicate thereof has been presented to the House.

S. Bills Nos 11, 17 and 19 were placed on Calendar for third reading.

Kennedy introduced S.B. No. 21 "A bill for an act to amend an act entitled "An act relating to assessment and levying taxes" approved March 18th 1887. On motion of Kennedy, The rules were suspended, the bill was read first and second time by its title and placed on general orders.

The following communication from the House was received.

House of Representatives.
Helena Mt. Sept 7th 1887.

Mr. President:

I am directed by the House to inform your Honorable Body, that the House has concurred in Council amendments to H.B. No. 7.

Daniel Mark,
Chief Clerk.

S.B. No 11 was read the third time and passed by the following vote,

Ayes: Biddlecom, Burleigh, Cardwell, Collins, Holliday, Hundley, Pardee, Richards, Sutherlin, Yates, Mr. President 11.

Noes: Kennedy. 1.

Title agreed to.

S. B. No. 11 was read the third time, Burleigh offered an amendment. On motion of Collins.—
The bill was by unanimous vote referred back to committee on Judiciary.

S. B. No 19 was read the third time and passed by the following vote.
Ayes: Batchelder, Burleigh, Cardwell, Collins, Holliday, Handley, Kennedy, Pardee, Richards, Sutherlin, Waters, Mr. President 12.
Title agreed to.

Mr. President announced the signing of H. B. No. 7.

On motion of Pardee.
S. B. No 68 was taken from general order, considered engrossed and placed on Calendar for third reading.

On motion of Burleigh.
Section 1 was amended by adding the following.
"It being the true intent and meaning of this act, that all former acts and ~~parts~~ of acts providing for the payment of a bounty for the killing of any wild animals, what so ever, be and the same are hereby repealed".

The Bill was then read the third time and passed by the following vote.
Ayes: Batchelder, Burleigh, Cardwell, Collins, Handley, Kennedy, Pardee, Richards, Waters, Mr. President 10.
Nays: Holliday, Sutherlin 2.
Title agreed to.

The Council resolved itself into Committee of the whole for the consideration of general orders.
Kennedy in the Chair.
[illegible]

Mr. President in the Chair.

The following report was received, Mr. President:

Your Committee of the whole has had under consideration H.B. No. 6. creating the office of Attorney General and recommend that it be passed for the day; also H.B. 19 concerning the bounty for wild animals and recommend that it be laid on the table until called up; also H.B. 21 concerning the assessment and levy of taxes and recommend that it be passed until the bill on the same subject reported by the joint committee on revenue be placed on general orders.

Kennedy Chairman.

On motion of Kennedy
The recommendations of the report were adopted.

On motion of Connell Council took a recess until 2 o'clock P.M.

2 P.M.

Council resumed.
Mr. President in the Chair.
Roll called. Members present.

A communication from the Governor was received.

Kennedy introduced H.B. No 22. "A bill for an act creating the office of District Attorney and defining the duties thereof."
Read first and second time and referred to the Committee on Judiciary.

The following Report was received.

Mr. President:

Your engrossing committee to which was referred H. B. No 10 concerning marriages respectfully report the same back correctly engrossed.

Holliday
Chairman.

Mr. President

Your Committee on Towns and Counties to whom was referred H.B. No. 13 "A Bill for an act to amend an act relating to the formation of Municipal Corporations" have had the same under consideration and beg leave to report the Bill back with the recommendation that it do pass.

Bardwell
Chairman.

H.B. No 10 was placed on Calendar for third reading.

On motion of Kennedy.
The amendments to H.B. No 17 were adopted and the Bill referred to Committee on Engrossment.

H.B. No. 13, was placed on general orders

The following communication from the House.

House of Representatives
Helena M.T.
September 8th 1887.

Mr. President:

I am directed by the House to inform your Honorable Body,
That —
H.B. No. 16 has been laid on the table
H.B. Nos 9 and 14 have passed the House and they are herewith transmitted.
H.B. Bill, Nos 10 and 17 have been lost.

David Marks.
Chief Clerk.

H. B. No. 14 was read first and second times and referred to Committee on Ways and Means.

H. B. No. 9 was read first and second times and referred to Committee on Judiciary.

On motion of Kennedy,
The rules were suspended, H. B. No. 3 was read the third time by its title and placed upon its final passage. The Bill passed by the following vote:
Ayes: Batchelder, Brinkley, Cardwell, Collins, Halliday, Hundley, Kennedy, Porter, Richards, Sutherlin, Waters, Mr. President 12.
Nays. None. 0.
Title agreed to.

On motion of Kennedy,
The Council adjourned until to-morrow at 10 o'clock A. M.

Reuben L. Davis
Chief Clerk

Twelfth Day.

Council Chamber
Helena M. T. Sept 9th 1887.

Council met at 10 a.m. pursuant to adjournment.
Mr. President in the Chair.
Roll called. Members present.
Prayer by the Chaplain.
The Journal of yesterday was read and approved.

A communication from the House was received.
The following Reports were received.

Mr. President:

Your Committee on Enrollment beg leave to report that C. B. 1. to punish interference with railroad track, and C. B. 4, to define disturbance of the peace, were presented to the Governor for his consideration at 3 P. M. Sept 8th 1887.

Kennedy Chairman.

Mr. President

Your Engrossing Committee to which was referred C. B. No. 17 relating to Stenographers for Dist Courts, respectfully report the same correctly engrossed.

Holliday
Chairman.

Report of the joint Committee of the Two Houses of the Legislative Assembly of the Territory of Montana appointed to inquire into, and report the cause of delay in the publication of the compiled laws of said territory.

The joint Committee of the Two Houses of the Legislative Assembly to whom was referred the resolution instructing your Committee "to investigate the matter of the printing of the laws, and to ascertain what causes have occasioned the [illegible] in

responsible therefor, and to recommend to the Legislature such action as may be appropriate," beg leave to report,

Your committee have endeavored to discharge the duties imposed on them by the joint resolution, so far as the limited time and means at their disposal permit, and have arrived at the conclusion from the evidence before them, that the delay in the publication of the laws had resulted from the failure of the Secretary of the Territory or his employes to furnish the necessary copy to the publishers in time for their early publication; no portion of which copy was furnished until the 17 day of June last.

The Secretary advertisement for proposals for the publishing of the laws of the 15th Session, dated Dec. 26. 1886, required that the successful bidder should furnish a good and sufficient bond for the faithful performance of his contract, and delivery of the printed laws at his office within ninety days after the adjournment of the 15th Legislative Assembly; - but House Bill No. 106 entitled "An act to provide for compiling editing and indexing the general laws of the Territory of Montana in force at the adjournment of the 15th Regular Session of the Legislative Assembly." approved March 10 1889, gives no limitation as to the time within which said publication shall be completed. The contract for the work being on file in the Treasury department, Washington as appears from the evidence your committee have not been able to inspect it.

Out of the $2.500 appropriated for the publication of said laws by the Legislature the books of the Territorial Auditor show that $823.00 have been drawn from the Treasury.

The testimony gave of the form showing the contract for publishing the laws, gives

delivery of said laws at Oct. 25th 1887.
Your Committee feel justified in coming to the conclusion from the evidence before them, that had the necessary copy been supplied the contractors soon after the adjournment of the 15th Regular Session, the compiled laws of the territory would have been published and ready for distribution by the 15th day of July last.
All the evidence in the case together with House Bill 106, and a copy of the advertisement for proposals for publishing the laws, is herewith submitted.
Committee on part of Council.
W. E. Burleigh.
Timothy E. Collins.
Committee on part of House.
E. W. Wagenwoodt.
J. E. Ramme.
Toole.

C.B. No 17 was placed on Calendar for third reading.

The report and testimony presented by the joint Committee to investigate and report the cause of delay in publication of the laws were ordered placed on file.

Cardwell gave notice of introduction of a bill in relation to public buildings

Parks introduced C.J.M. No. 1 praying for an amendment of Alien Land Law.
Read first and second time.
On motion of Wyndley.
The rules were suspended, the memorial was considered engrossed
Read the third time by its title and placed upon its final passage.

The memorial was passed by the following vote:

Ayes: Batchilder, Burleigh, Cardwell, Collins, Holliday, Hundley, Pardee, Rickards, Sutherlin, Waters, Mr. President, 11.
Noes: Kennedy 1.
Title agreed to.

The following communication from the House was received.

House of Representatives
Helena M. T. Sept. 8th 1887.

Mr. President:
I am directed by the House to inform your Honorable body, That—
H. Bills No. 2, 20 and 21 have passed the House and they are herewith transmitted, H. B. No. 29— has been laid upon the table.

David Marks.
Chief Clerk.

On motion of Rickards:
The rules were suspended.
H. B. No. 2 was read first and second time by its title and placed on general orders.

H. B. No. 20 was read first and second time and referred to Committee on printing. H. B. No 21 was read first and second time and referred to Committee on Judiciary.
The following communication from the Governor was received.

Helena M. T. Sept. 9. 1887.

Gentlemen of the Legislative Council.
I have the honor to inform you that on the 8th day of Sept. 1887 I did approve Bills which originated in your body numbered One and Four the former entitled "An act to punish interference with Railroad track" and the latter entitled "An act to define disturbance of the peace".

Respectfully
P. H. Leahy.

The following Report was received.

Mr. President:

Your Special Committee to whom was referred C. B. No. 8 An act to amend an act to suppress and prevent the dissemination of Scab and infectious diseases among sheep, approved March 1st 1887. have considered the same and recommend that it pass with the amendment annexed hereto.

G. G. Batchelder.
W. H. Sutherlin.
T. E. Collins.
Special Committee.

On motion of Burleigh.
The amendments to C. B. No. 8 were adopted and ordered engrossed.

C. B. No 19 was read the third time Sutherlin presented petition of citizens of Meagher County praying for passage of the bill.
The bill was passed by the following vote.

Ayes: Batchelder, Burleigh, Collins, Holliday, Howeddy, Kennedy, Pardee, Rickards, Sutherlin, Waters, Mr. President 11.
Noes: None. 0.
Absent: one. 1.
Title agreed to.
The following Reports were received.

Mr. President:

Your Committee on Ways and Means to whom was referred H. Bill No 3. having had the same under consideration beg leave to report the same back with recommendation that it do pass.

J. K. Pardee.
Chairman.

Mr. President:

Your committee on ways and means to whom was referred H. Bill No. 8. having had the same under consideration beg leave to report the same back without recommendation.

J. K. Pardee.
Chairman.

The following Report was received.

Mr. President:

The Judiciary Committee have considered C. B. No 20 relating to appeals from Probate and Justice Courts and recommend that it pass.

Mullins Chairman.

H. Bills Nos 3 and 8 and C. B. No. 20 were placed on general order.

The Council resolved itself into Committee of the whole for the consideration of general orders.
Pardee in the Chair.
Council resumed.
Mr. President in the Chair.

The following communication from the House was received:

House of Representatives
Helena M. T. Sept. 9th 1887.

Mr. President:

I am directed by the House to inform your honorable body That C. Bills No 3. (as amended) has passed the House and the same is here with transmitted.

David Marks.
Chief Clerk.

On motion of Kennedy
The amendments to C. B. No 3 were referred to the Special Committee to which the Bill was referred.
On motion of Kennedy.
Council took a recess until 2. P. M.

2. P. M.

Council resumed.
Mr. President in the Chair.
Roll called. Quorum present.

The following communication from the House was received.

House of Representatives
Helena M. T. Sept 9. 1887.

Mr. President:
I am directed by the House to inform your honorable body, That —
Bills were introduced as follows.
By Taylor, H. B. No. 32 "A Bill for an act to amend Section 2378 Second Division of the Compiled Laws of Montana"
& By Kenner — H. B. No. 33 A Bill for an act to repeal Section 10 of an act entitled "An act to create the County of Fergus and to provide for the Election of officers thereof".
House Bills Nos 11 — and 24 — and Council Bills Nos 2 (As amended) and 5 have passed the House and are herewith transmitted.

David Marks
Chief Clerk.

Holliday moved that the Council concur in House amendments to C. B. No. 2, which was lost by the following vote.
Ayes: Batchelder, Richards, Waters, Holliday, Cardwell, Collins, C.
Noes: Burleigh, Handley, Kennedy, Pardee, Sutherlin Mr. President 6
The House was requested to receive back its amendments.
C. B. No. 5 was referred to Committee on Enrollment.
H. B. No. 11 was read first and second time and on motion of Kennedy, referred to Committee on Corporations.

H. B. No. 24, was read first and second times and referred to Committee on Grazing and Stock growing.

The following Report was received.

Mr. President:

A portion of the Committee to whom was referred H. B. No. 18. A Bill for an act to further define the boundary of Gallatin County, respectfully report the same back with following amendments that the title be amended to read as follows "A Bill for an act to further define the boundaries of Gallatin Stone and Meagher Counties" and with the following amendment recommend that it do pass.

Waters.

Waters moved that the rules be suspended and H. B. No. 18 be placed on Calendar for third reading.
Which was lost.
On motion of Kennedy.
The Bill was placed on general orders.

The following Report was received.

Mr. President:

Your Special Committee to whom was referred H. B. No. 3, An act to create Crocker County have considered the same with the House amendments. We recommend that the amendments of the House be adopted. And the Bill as amended pass.

Collins
Sutherlin.

Collins moved that the House amendments to H. B. No. 3 be concurred in, by the Council.
Kennedy moved as an amendment that the Bill and amendments be placed on general orders.
Which was lost.

The original motion.
That the House amendments to
C. B. No. 3 be concurred by the Council
Was then carried — and the bill
referred to Committee on Enrollment.

The Council resolved itself into
Committee of the whole for the
consideration of general orders.
Pardee in the Chair.
Council resumed.
Mr. President in the Chair.

The following Report was received.
Mr. President:
I am instructed by the
committee of the whole to report
back No. B. No. 2 and to recommend
that the bill as amended do
not pass.

J. K. Pardee.
Chairman.

On motion of Kennedy.
The Council adjourned until
to morrow morning at 9 o'clock.

Reuben L. Ross
Chief Clerk

Thirteenth Day.

Council Chamber.
Helena M.T. Sept. 10th 1887.

Council met at 10 A.M. pursuant to adjournment.
Roll called. Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.
The following Reports were received.
Mr. President:
Your Enrolling Committee to which was referred C.B. No. 5 concerning the storage of gunpowder. respectfully report the same correctly enrolled.
Kennedy,
Chairman.

Mr. President:
Your Enrolling Committee to which was referred C.B. No. 3, To create the County of Cascade respectfully report the same correctly enrolled.
Kennedy Chairman.

Mr. President:
Your Enrolling Committee to which was referred H.B. No. 3 relating to fees and injecting diseases, respectfully report the same correctly enrolled.
H. Holloway, Chairman.

Mr. President: Your Finance Committee have considered C.B. No. 12 to provide for the ballots, oaths, &c. and recommend it to the consideration of the Council without recommendation, & the recommendation that C.B. 13. C.B. 14. C.B. 15 relating to sureties, Bonds, indemnity, &c. be placed on the table, also that C.B. 12 to create the office of District Attorney do not pass.
That H.B. 4 and C.B. 16 relating to rules of practice in District Courts do pass. That H.B. 5 concerning the sale of Police Unmarshals - do pass. also that H.B. 21 appropriating money to cide-

in the codification of the laws of immigration be returned for consideration of the Council in general orders.

Collins Chairman,

Mr. President

Your Committee to whom H.B. 24 was referred have considered the same and recommend that it do pass.

Kimball Chairman.

Mr. President Your Committee on Judiciary have considered H.B. No. 9 the lien law and recommend it do pass with the annexed recommendations.

Collins
Chairman.

C.B. No. 8 was placed on Calendar for third reading.

C. Bills Nos 12, 13, 14, 15, 22, and 16, H. Bills Nos 4, 5, 21, 24, and 7 were placed on general orders.

Mr. President announced the signing of C. Bills Nos 3 and 5.

Burleigh introduced C.B. No 23, "An Act to regulate the fees of Justices of the Peace." & Read first and second time and referred to Committee on Public Lands.

The following communication from the House was received.

House of Representatives
Helena M.T. Sept 9th 1887.

Mr. President

I am directed by the House to inform your Honorable Body, Taylor has given notice of a motion to [illegible] be which C.B.

No. 6. was lost and the House respectfully asks for the return of the Bill

David Marks.
Chief Clerk.

The Clerk was directed to return C.B. No. 6 to the House.

Burleigh offered the following Resolution and moved that the rules be suspended and the resolution considered at once,

Resolved by the Council the House concurring, that the extraordinary session of the Legislative Assembly of the Territory of Montana do on Tuesday the 13th 1887. Adjourn sine die

Burleigh.

The motion was lost.

Cardwell introduced C.B. No 24
"An Act to enable counties to erect Court Houses.
Read first. By seconds times and referred to Committee on Judiciary.

On motion of Pardee.
The rules were suspended.
C.B. No 8 was read the thirds time by its title and passed by the following vote.
Ayes.- Batchelder, Burleigh, Cardwell, Hundley, Pardee, Richards, Sutherlin, Waters, Mr President 9.
Noes,- Kennedy. 1
Absent,- Collins, Holliday 2
Bill agreed to.

The following communication from the House was received.-

House of Representatives.
Helena M.T. Sept. 10. 1887.

Mr President.
I am directed by the House to inform your Honorable body.

House Joint Resolution for adjournment has passed the House, a copy of which is herewith transmitted

Respectfully.
David Marks
Chief Clerk.

House Joint Resolution to adjourn.
Be it resolved by the House the Council concurring:
Section 1. That the extraordinary session of the 15th Legislative Assembly, stand adjourned sine die at 12 oclock noon on Tuesday the 13th inst.

Burleigh moved that the resolution be amended by striking out the word "Joint" and inserting "Concurrent", which was lost.

Burleigh moved to strike out the word "noon" and insert "Midnight" which was lost.

Kennedy moved that the resolution be laid on the table.

On motion of Richards.-
A call of the House was ordered; the roll being called, Collins not being present the Sergeant at arms was ordered to bring in the absentee. Collins appeared and on motion of Sutherlin, all further proceedings under the call were dispensed with.

The motion to lay the resolution on the table was lost by the following vote.-
Ayes.- Cardwell, Collins, Hundley, Kennedy, Sutherlin, Waters 6
Noes.- Batchelder, Burleigh, Holliday, Porter, Richards, Mr President 6

On motion of Collins,
The further consideration of the resolution was postponed until Tuesday next at 11.55 A.M. by the following vote.
Ayes.- Cardwell, Collins, Holliday, Hundley, Kennedy, Sutherlin, Waters 7

Noes, - Batchelder, Bullock, Pardee, Richards, Mr. President. 5.

The Council resolved itself into Committee of the whole for the consideration of general orders.
Pardee in the Chair.
Council resumed
Mr. President in the Chair.

A communication from the House was received.

Council resolved itself into committee of the whole.
Pardee in the chair.
Council resumed
Mr. President in the chair.

Pardee, chairman of committee of the whole, reported progress and asked leave to sit again.

The following communication from the House was read:-
House of Representatives.
Helena M.T. Sept. 10th 1887.
Mr. President,-
I am directed by the House to inform your Honorable body:
That,-
Bills were introduced as follows:-
By Harwood, H.B. No. 34. "A bill for an act relating to party walls in incorporated cities or towns"
By Taylor,- H.B. No 35. "An Act to amend Section 3. of an act to protect Game, Fur-bearing animals and Fish" as approved, March 8th 1883.
C.J.M. No. 1. H.B. Nos. 12, 17, 18 and 23. have passed the House and they are herewith transmitted.
David Morris
Chief Clerk.

C.J.M. No. 1. was referred to committee on Enrollment.

On motion of Kennedy.-
House bills No. 12, 17, 18 and 23 were laid on the table temporarily, until after further consideration of the Revenue Bill.

On motion of Cardwell.-
Council took a recess until 2. P.M.

2 P.M.
Council resumed
Mr President in the chair.
Roll called. Quorum present.

The Council resolved itself into committee of the whole for the consideration of general orders.
Pardee in the chair.
Council resumed
Mr President in the chair.

The following report was received.-
Mr President.
I am instructed by the committee of the whole to report back H.B. No 2. with the annexed amendments, and to recommend the adoption of the amendments and that the bill pass as amended.
J. R. Pardee.
Chairman.

On motion of Burleigh.
The amendments to H.B. No 2. were adopted and referred to committee on engrossment.

On motion of Kennedy;
The Council resolved itself into committee of the whole for the consideration of H.B. No 8.
Kennedy in the Chair.
Council resumed.
Mr President in the chair.

Kennedy chairman of Committee of the whole reported progress in consideration of H.B. No 8, and asked leave to sit again.

Holliday, chairman of Committee on

H.B. No 2. having been placed in proper order, and plainly written, were recommended to be considered engrossed.
Recommendation adopted and bill placed on calendar for third reading.

On motion of Pardee,-
The rules were suspended.
H.B. No 2. was read the third time by its title and placed on its final passage.

Collins by unanimous consent offered an amendment to the last section of the bill which was adopted.

The reading of the amendments being called for, the same were read and the bill passed by the following vote.
Ayes,- Batchelder, Burleigh, Cardwell, Collins, Holliday, Hundley, Pardee, Richards, Sutherlin, Mr President. 10
Noes,- Kennedy 1.
Absent.- Waters. 1.
Title agreed to.

The following report was received.-
Mr President.-
Your enrolling committee respectfully report that council bill No 3. "An act to create the County of Cascade, to define its boundaries, and to provide for its organization, and C.B. No 5. "An Act to amend an Act concerning the storage of gunpowder" approved March 1st 1883, having passed both houses, been signed by the Speaker and President, were presented to the Governor for his approval this 10th day of Sept, 1887 at 11 A.M.
J. E. Collins
of the Committee on Enrollment.

Collins gave notice of introduction of a bill for an Act relating to taking of acknowledgments of Deeds, and for other purposes.

Council resolved itself into Committee of the whole for the consideration of general

Council Journal, Thirteenth Day, Sep. 10th 1889
Kennedy in the Chair,

Council resumed,
Mr President in the Chair,

Kennedy, Chairman of Committee of the whole, reported progress in consideration of H.B. No. 8, and was granted time to prepare report

Pardee, by unanimous consent, introduced C.J.M. No. 2, "praying for the passage of an act of Congress increasing the number of members of the Legislative assembly of Montana".

Read first and second times,

On motion of Kennedy,
The rules were suspended, the memorial was considered engrossed, read the third time and passed by the following vote,

Ayes: Baldwin, Burleigh, Cardwell, Collins, Holliday, Hundley, Kennedy, Pardee, Richards, Sutherlin, Watson, Mr President. 12.
Noes: None 0.
Title agreed to

The following communication from the House was received,

House of Representatives,
Helena, M.T., Sept 10th 1889,

Mr. President,
I am directed by the House to inform your Honorable Body —
That,
The House refuses to recede from its amendments to C.J.M. No. 2,
H.B. No. 33, has passed the House, and the same is herewith transmitted,
H. Bills Nos 28, 30, and 31, have been passed in the House

David Marks, Chief Clerk

(continued)

On motion of Collins,
The Council adhered to its non concurrence in H. amendments to C.B. No. 2, and requested the appointment of a Committee of conference thereon,

On motion of Kennedy,
H.B. No. 33, was laid on the table until called up,

Pardee asked for leave of absence from tomorrow indefinitely,
which was granted,

Batchelder moved that the Council adjourn until Monday next at 10 a.m.

Waters moved as an amendment,
That the Council take a recess until half past 7 o'clock today,
which was lost,

The original motion was carried, and

The Council adjourned until Monday next at 10 o'clock a.m.

Reuben L. Sayers
Chief Clerk

"Fifteenth Day"

Council Chamber
Helena M.T. Sept 12th 1887.

Council met at 10 A.M. pursuant to adjournment.
Mr President in the Chair.
Roll called. Quorum present.
Prayer by the Chaplain.
Journal of thirteenth day read and approved.

The following reports were received:-
Mr President.-

Your ways and means committee to whom was referred H.B. No 14. "A bill for an act concerning the term of office of county assessor" has had the same under consideration and respectfully report the same back with the recommendation that it do pass.

Waters.

Mr President.-

Your Judiciary committee have considered H.B. 24, "to enable counties to erect Court Houses" and recommend its passage.

Collins,
Chairman.

Mr President.

Your Committee on Incorporations to whom was referred H.B. No 11. "A bill for an act to provide for the condemnation of lands for railroad purposes" having had the same under consideration, herewith return the same with annexed amendment and recommend that as amended, it do pass.

J. E. Harder.
Chairman.

Mr President.-

Your Committee of the whole has had under consideration H.B. 8, amending the Revenue laws and would recommend the adoption of the accompanying amendments and the passage of the bill as amended.

Kennedy
Chairman.

H.B. No 24 H.B. No 6 and C.B. No 24 were placed

On motions of Kennedy amendments Nos. 1, 2, 3, 4, 5, 6, to H.B. 8. were adopted, and amendments Nos 9, 10. were rejected.

On motion of Collins amendment No. 7. was amended by striking out "500" and inserting in lieu thereof "1000" and the amendment as amended was adopted.

Kennedy moved that amendment No 8. be rejected, which was lost.

On motion of Kennedy.-
Amendment No 8. was adopted.

Collins moved that the following amendment be adopted, -
"Adds a new section -
"That Section 22. of the act of which this is amendatory be and the same is hereby repealed," which was lost.

A communication from the Governor was received.

On motion of Watens, -
The following amendment was adopted,
Strike out of section, after the words "Merchants" the words "Agent, drummer or travelling salesman.

Burleigh moved that the following amendment be adopted
After the words "description" in lines of Sec, 15, insert the words, "or any other species of goods or merchandise whatsoever", which was lost.

On motion of Kennedy.
Section 15 was amended as adopted,

On motion of Kennedy.-
The rules were suspended, the amendments were considered engrossed and the bill was read the third time.

Kennedy asked unanimous consent to offer the following amendment.
Strike out the words "And not herein named."
Collins objected.

On motion of Kennedy.
The bill was referred to Committee on ways and means.

The chair announced the appointment of Kennedy as a member of the committee on ways and means.

The following communication from the Governor was read.

The Territory of Montana,
Governors Office.
Helena, Sept 12, 1887.

Gentlemen of the Legislative Council

I have the honor to inform you that I have on this day approved and signed the bill which originated in your body entitled, "An act to create the county of Cascade, to define its boundaries and to provide for its organization" and is numbered "3."

Respectfully,
(S) A. Leslie.

On motion of Kennedy.
The Council resolved itself into committee of the whole for the consideration of H.B. No 2.

Council resumed
Mr President in the chair.

Batchelder asked for indefinite leave of absence, which the Council voted not to grant.

Sutherlin moved that the Council take a recess until 2 P.M.
Lost.

Kennedy, chairman of committee of the whole was granted time to prepare report.

The following report was received.

Mr. President:-

Your Special committee to whom was referred "S.F.B. No. 9. "A Bill for an act creating the office of Commissioner of Immigration" herewith return the same and recommend, in view of limited time of this Extraordinary Session, that the bill be indefinitely postponed

J. E. Richards
Chairman

On motion of Collins,-
The recommendations of the report were adopted.

On motion of Collins:-
S.F.B. No. 24 was taken from general orders and referred to committee on Engrossment.

The following report was received. -
Mr. President.-

I am instructed by the Committee of the whole to report back S.F.B. No. 19. with amendments hereto annexed, and to recommend that the amendments be adopted and the bill pass as amended.

T. Kennedy, Chairman.

On motion of Kennedy.-
The amendments to S.F.B. No. 19. were adopted.

On motion of Burleigh,-
The rules were suspended, the amendments were considered engrossed, the bill was read the third time by its title and passed as amended by the following vote:

Ayes,- Ritchelder, Burleigh, Cardwell, Collins, Hendley, Kennedy, Richards, Malone, Mr. President. 9

Noes, Hornsby, Sutherlin. 2

Absent, Parker. 1.

Bill ingrossed to.

On motion of Sutherlin.
Council took a recess until 2 P.M.

2 - P.M.

Mr President in the Chair.
Roll called. Quorum present.

A communication from the House was received.

The following report was received.
Mr President,
Your Engrossing Committee to which was referred C.B. No 24 enabling the erection of court-houses, respectfully return the same correctly engrossed.
Holliday.
Chairman.

C.B. No 24 was placed on Calendar for third reading

The following report was received—
Mr President—
As a minority of your Committee on ways and means I beg leave to recommend that H.B. No 8. Concerning Licenses, be amended by striking out of lines 54 and 55 in Section 14 the words "and not herein named" and that as thus amended the bill do pass.
Kennedy.

On motion of Kennedy,—
The amendment recommended in said report was adopted.

On motion of Kennedy,
The rules were suspended.
H.B. No 8. was read the third time by its title and passed as amended, by the following vote,
Ayes,—Batchelder, Burleigh, Cardwell, Collins, Holliday, Hundley, Kennedy, Richards, Sullivan, Waters, Mr President. 11
Noes, None. 0
Absent, Pardee. 1
Bill agreed to

The following communication from the House was read.
House of Representatives
Helena M.T. Sept. 12th 1887.

I am directed by the House to inform your Honorable Body.
That,-
Mr Speaker has appointed as a conference committee on the part of the House on C.A.B.No 2., Messrs. Kennedy, Titman, Armstrong, Hoffman and Anderson.
C.B's. No's 11 and 19 and H.B's. No's 26, 36 and 37, have passed the House and they are herewith transmitted.
The House has adopted a concurrent resolution for adjournment a copy of which is herewith transmitted.
C.A.B.No. 6. is returned to the Council herewith.

David Marks.
Chief Clerk

House concurrent Resolution to Adjourn.
Be it resolved by the House the Council concurring.
That the extraordinary session of the 15th Legislature be and stand adjourned at 12 O'clock, Noon on Wednesday the 14th inst.

C.B's. No's. 11. and 19. were referred to Committee on Enrollment.

H.B. No. 36. was read the first time.

Kennedy moved to lay the bill on the table, - lost.

The bill was read the second time and referred to Committee on Military Affairs.

H.B. No. 37. was read first and second times and, on motion of Collins, referred to Committee on Military Affairs.

H.B. No. 26. was read first and second times

Kennedy moved that the rules be suspended the bill read the third time by its title and placed on its final passage.

Collins moved to amend by placing the bill on

Sutherlin moved as an amendment that the bill be referred to the Committee on Mines and Minerals which was carried and the bill so referred.

The House concurrent resolution to adjourn sine die Wednesday next at 12 M. was taken up.

Collins moved that the consideration of the resolution be postponed until Tuesday next at 11.55 A.M. — Lost.

On motion of Waters,-
The resolution was adopted by the following vote.-
Ayes,- Batchelder, Burleigh, Cardwell, Holliday, Richards, Waters, Mr President. 7
Noes,- Collins, Hindly, Kennedy, Sutherlin 4
Absent,- Pardee. 1

The following communication from the house was received.
House of Representatives
Helena M.T. Sept. 12th 1887.
Mr President,-
I am directed by the House to inform your Honorable Body.
That,-
The House has concurred in all amendments to H.B. No 2. except,-
1st Council amendment to Sec. 4.
2nd " " " " 57.
and as to said amendments the Council is respectfully asked to appoint a conference committee, and that Mr. Speaker has appointed as such committee on the part of the House, Messrs Harwood, Hanauer and Marshall.
David Morris
Chief Clerk.

Collins moved that a committee of Conference on H.B. No 2. be appointed, which was carried, and the Chair appointed, Collins, Kennedy and Burleigh, to act on the part of the Council as such Committee.

No objection being made, Burleigh introduced C.F.B.No.26. "A bill for an act to amend an act for the formation of municipal corporations," approved March 10, 1887."
Read first and second times; and on motion of Richards placed on general orders.

On motion of Kennedy.-
The vote of the Council adhering to its refusal to concur in House amendments to C.F.B.No.2. was reconsidered.

On motion of Kennedy.-
The Council concurred in H. amendments to C.F.B.No.2. and the bill was referred to Committee on Enrollment.

On motion of Kennedy.-
The House bills heretofore temporarily laid on the table were taken up.

H.F.B.No.12. was read first and second times and referred to Committee on Incorporations.

On motion of Kennedy.-
The rules were suspended
C.F.B.No.24 was read the third time and passed by the following vote.
Ayes.- Batchelder, Burleigh, Cardwell, Collins, Holliday, Hundley, Richards, Sutherlin, Mr President. 9
Noes.- Kennedy. 1
Absent.- Yardley 1.
Bill agreed to.

H.F.B.No.17 was read first and second times and referred to Committee on Education and Labor.

H.F.B.No.18. was read first and second times and referred to Committee on Education and Labor.

H.F.B.No.23. was read first and second times.
Holliday offered an amendment.
Bill and amendment referred to Committee on Grazing and Stock Growing.

On motion of Burleigh, C.B. No. 25 was taken from general orders and referred to Committee on Towns & Counties.

No objection thereto being made.
Collins introduced C.B. No. 26 "An act concerning acknowledgments"

On motion of Collins,
The rules were suspended
The bill was read the first and second time and referred to Committee on Judiciary.

The Council resolved itself into Committee of the whole for the consideration of generals orders,
Collins in the Chair.

Council resumed.
Mr. President in the Chair.

A Communication from the house was received.

The Council resolved itself into Committee of the whole for the consideration of generals orders,
Collins in the Chair.

Council resumed,
Mr. President in the Chair.

The following report was received,—
Mr. President,—

Your committee of conference on Council amendments to S.R. No. 2. have considered the matters referred to them and the committee unanimously recommend that the amendment herewith accompanying be adopted, in lieu of amendment to Sec. 4, and that the Council recede from its amendment to Sec. 57.

Collins
Kennedy
Burleigh

Harwood,
Konouse
Morshall
Com. on part of House.

On motion of Collins.-
The recommendations of the report were adopted, the Council receded from its amendment to Sec. 57. and adopted the amendment reported by the Conference Committee.

The following communication from the House was received.-

House of Representatives
Helena M.T. Sept. 12. 1887.

Mr. President.-
I am directed by the House to inform your Honorable Body.
That,-
The House asks for a conference committee on H.B. 19, and Mr. Speaker has appointed as such committee on the part of the House, Messrs. Mantle, Toole and Wilson.

David Marks
Chief Clerk.

On motion of Collins.-
A Committee of conference on H.B. No 19. was appointed.
The Chair appointed Collins, Burleigh and Halliday such committee.

The following communication from the House was received.

House of Representatives
Helena M.T. Sept 12. 1887

Mr. President,
I am directed by the House to inform your Hon. body, that,-
The House refuses to concur in the amendments of the Council, to H.B. No. 8. and asks for a committee of conference,
That, Marshall, Hanover and Mantle have been appointed such committee on the part of the House

Respectfully.
David Marks
Chief Clerk.

On motion of Kennedy.-
A Committee of conference on H.B. No 8. was appointed and the chair appointed Kennedy, Richards and Sutherlin such

On motion of Kennedy -
Council took recess until 4.30 P.M.

4.30 P.M.
Council resumed
Mr President in the Chair.

H.B. No 33. was read first and second times and referred to committee on Towns and Counties.

On motion of Hundley
H.B. No 24 was taken from general orders.
Hundley offered the following amendment:- Strike out the words "under the rules promulgated by the Board of Stock Commissioners of Montana Territory for the recording of brands," which was adopted.

On motion of Hundley, -
The rules were suspended.
The amendment was considered engrossed, the bill was read the third time and passed as amended by the following vote.
Ayes, - Batchelder, Burleigh, Cardwell, Collins, Holliday, Hundley, Mr President, 7.
Noes, - Kennedy, Richards, Sutherlin Waters. 4
Absent, - Pardee 1
Title agreed to.

The following report was received.
Mr President. -
Your committee of the whole have considered H.B. 9. amended the same as amended and recommend that as amended it do pass.
Also, Have considered C.B. 18. Bill for an act to further define the boundaries of Yellowstone County, amended the same and as so amended recommend that it do pass.
Collins
Chairman

On motion of Waters.-
The amendments to H.B. No 9. were adopted and referred to the Committee on Engrossment.

On motion of Richards.-
The amendments to C.B. No 18. were adopted. Ordered engrossed.

The following report was received.
Mr. President,
Your Judiciary Committee have considered C.B. No 26, concerning acknowledgments and recommend that it pass.
Collins.
Chairman.

On motion of Collins.-
The rules were suspended, the bill was considered engrossed and read the third time. Burleigh offered an amendment.-

On motion of Richards.-
The bill was placed on general orders.

Hundley by unanimous consent introduced without previous notice C.B. No. 27. "A bill for an act to amend an act entitled 'an act to provide for Deputy County Treasurers and to fix their compensation'," approved Feb, 18, 1887. Read first and second times and referred to Committee on Ways and Means.

On motion of Waters.-
Council took a recess until 7.30 P.M.

7.30 P.M.
Council resumed.
Mr. President in the chair.
Roll called. Q. uorum present.

The following reports were received.-
Mr. President.-
Your committee on Incorporations to whom was referred H.B. No 12. "To enable certain cities and towns to

same without recommendation.
Richards
Chairman.

Mr President.
Your engrossing committee to which was referred C.B. No 18 defining the boundaries of Yellowstone County, ask to report the same correctly engrossed.
Holliday
Chairman.

Mr President,-
Your Enrolling Committee to which was referred C.J.M. No 1. as Kingan amendment to the Alien Land Law. C.B. No 19. amending arboriculture act. C.B. No 2. apportioning members of Council to Meagher, Fergus, Gallatin and Park C.B. No 11 providing for transferring certain records from Gallatin County, would report them correctly enrolled
Kennedy.
Chairman

H.B. No 12. was placed on general orders.

C.B. No. 18 was placed on Calendar for third reading.

The Council resolved itself into committee of the whole for the consideration of general orders
Collins in the Chair.

Council resumed.
Mr President in the chair.

Collins, Chairman of Committee of the whole reported back, H.B. No 3. and 13. each with amendments, recommending that the bills pass as amended.

On motion of Collins,
The amendment to H.B No 3. was adopted.
Amendments ordered engrossed.

On motion of Richards,-
The amendment to H.B. No. 13 was adopted
Ordered engrossed.

Kennedy moved that the Council adjourn.
Lost.

On motion of Collins.-
H.B's. No's. 13, 14 and 15 were withdrawn
from general orders.

Collins moved that the rules be suspended
and the bill be indefinitely postponed.
Lost.

On motion of Collins.-
H.B. No 21 was taken up.

Burleigh moved that the rules be
suspended and the bill read the third
time and placed on its final passage.
Lost.

Collins moved that the Council resolve
itself into Committee of the whole.
Lost.-

On motion of Sutherlin.-
The Council adjourned until tomorrow
morning at 10 O'clock.

Reuben L. Davis
Chief Clerk.

Sixteenth Day
Council Chamber
Helena Montana
September 13th 1887

Council met at 10 AM,
Pursuant to adjournment
Mr President in the chair

Prayer by the Chaplain

A communication from the House was received
Journal of yesterday read and approved
The following communication from the House was read.

House of Representatives
Helena Montana
Sept 12 1887

Mr President:
I am directed by the House to inform your Honorable Body that the House has agreed to the Conference report on H.B. No 2, C.J.R. No. 2 – C Bills CO 417 and H.B. No 32 have passed the House and they are herewith transmitted.
David Marks
Chief Clerk

C.J.R. No. 2 was referred to Committee on Enrollment.
On motion of Burleigh
The Council refused to concur in H. Amendment to C.B. No 17 and requested the appointment of a committee of conference thereon.
Mr President appointed Burleigh, Richards, and Collins to act as such Committee on the part of the Council.

On motion of Sutherlin,
The House concurred, in the amendments to C.B. No 10. and the bill was referred to Committee on Enrollment.

The following reports were received.

Mr. President.—

Your committee on Education and Labor to whom was referred H.B. No 17 "To create a School Text book Commission" having considered the same, herewith return it with recommendation that it do pass.

J. E. Richards.
Chairman.

Mr. President,—

Your Engrossing committee to which was referred Council amendments to H.B. No. 13, relating to municipal Corporations, H.B. No 3, relating to fees of County Recorders, respectfully return the same correctly engrossed.

Holliday
Chairman.

Mr. President,—

Your Engrossing Committee to which was referred H.B. No 9. with amendments, asks to return the amendments correctly engrossed.

Holliday
Chairman.

Mr. President,—

The majority of your Committee on Military Affairs having had under consideration H.B. No 37 and H.B. No. 36. most respectfully report the same back, with the recommendation that it do pass.

Waters
Beveridge.

Mr. President,—

Your Committee on Fencing and Stock Trespassing to whom was referred H.B. 23. "An act to amend Sec. 285 of the 4th Division of the Compiled Statutes of Montana, have considered the same and as amended recommend it do pass.

Hendley
Chairman.

On motion of Mr. Richards.—

The rules were suspended.

H. Bill No 17 was considered engrossed, read the third time and passed on its final passage.

Ayes.- Batchelder, Burleigh, Cardwell, Collins, Holliday, Hundley, Kennedy, Richards, Sulcher, Waters, Mr. President. 11

Noes.- None. 0

Absent.- Pardee 1

Title agreed to.

H. Bills Nos. 3 and 13 and H.B. No 9 were placed on Calendar for thirds reading.

Kennedy was granted further time to prepare minority report on H Bills Nos. 36 and 37.

On motion of Hundley,-
The amendment to H.B. No 23. was adopted
Amendment ordered engrossed.

Mr President announced signing to Bills Nos. 2, 11, and 19 and S.J. M. No 1.

The following reports were received,-
Mr President,-

The Ways and Means Committee to whom was referred S.B. No. 27. "A bill for an act to amend an act entitled an act to provide for the county Treasurer and fix their compensation, approved Feb. 18, 1887, having had the same under consideration most respectfully report the same back with the recommendation that it be laid upon the table.

Waters
Collins.

Mr. President,-

As a minority of the ways and means committee I would report in favor of the passage of S.B. 27, amending the ex-county Treasurer Law, believing that the County Commissioners are the proper officers to decide on the necessity of assistance in a County office, and, not the Legislature.

Kennedy.

On motion of Waters,
The recommendation of the majority report that S.B. No. 27. be laid on the table was adopted by the following vote:-

Ayes, - Burleigh, Collins, Holliday
Richards, Waters, Mr President. 6
Noes, - Batchelder, Cardwell, Hundley
Kennedy Sutherlin 5
Absent, - Pardee. 1

The following communication from the House was received,

House of Representatives,
Helena, M.T. Sept. 13. - 1887

Mr President,

I am directed by the House to inform your honorable body That,-

Mr Speaker has appointed Messrs Marshall, Black and White to act with a like number from the Council to wait upon the Governor and inform him that this Legislative Assembly would adjourn at Noon tomorrow. Wednesday Sept. 12th 1887.

David Morris.
Chief Clerk.

The Chair appointed Richards, Waters and Hundley to act on the part of the Council as the Joint Committee to wait upon the Governor and inform him that This Legislative Assembly will adjourn at noon tomorrow.

The following communication from the Governor was received,

Territory of Montana.
Executive Department.
Helena, Sept 13, 1887.

Gentlemen of the Legislative Council

I have the honor to inform you that I have this day approved and signed the bill which originated in your body entitled, "An act to amend an act concerning the storage of Gun powder," approved March 1st, 1883. and is numbered, "5".

Respectfully.
D. H. Leslie.

The following report was received,-

Mr President, -

The Conference Committee on H.B. 8, concerning License have considered the same and recommends that the Council recede from its amendments, striking out Sec. 5, and that, that section be amended by striking out the words, "ten dollars" and inserting in lieu thereof the words "two dollars and fifty cents," and that an additional section be put in the bill repealing section 18 of the original License Law. That the Council recede from its amendments to Sec. 4 and 11 making one gallon the dividing point between wholesale and retail dealers.
That the Council recede from its amendments changing the license for gambling, and that the House concur in the other Council amendments except that a section be put in reducing the license on telephone instruments to fifty cents a year.

Kennedy.
Richards.
Sutherlin.

Kennedy moved, that the amendment "reducing the license on telephone instruments to 50 cents a year" be not adopted, which was lost by the following vote.
Ayes, - Batchelder, Bardwell, Holliday
Hundley, Kennedy. 5
Noes, - Burleigh, Collins, Richards, Sutherlin.
Waters, Mr President. 6
Absent, - Pardee 1

The recommendations of the report of the conference Committee were adopted.

H.B. No 32. was read first and second times and referred to committee on Judiciary.

The following communication from the House was received.
House of Representatives.
Helena M.T. Sept 10, 1887.

Mr President, -

I am directed by the House to inform your Honorable body
That.-
The House has adopted the substitute offerred to H.B. No 17. as reported by the Committee on Conference and the bill and substitute are herewith transmitted. The same to be returned immediately after the action of the Council thereon.
The House has adopted the report of the Conference Committee on H.B. No. 8.
Mr Speaker has appointed as Conference Committee on S.B. No 17. Messrs, Blake, Toole and Spaulding.
H.J. M. No 1. and H.B. No 1. have passed the Council and they are herewith transmitted.
H.B. No 34 has been laid on the table.
David Marks
Chief Clerk.

The substitute for H.B. No 17. was read and on motion of Cardwell adopted.

H.J. M. No 1. was read first and second times and referred to Committee on Federal Relations
H.B. No 1. was read first and second times.
Burleigh moved that the bill be referred to a special committee, Lost.

On motion of Collins.-
The bill was placed on general orders.

Richards reported that the Joint Committee for that purpose had waited upon the Governor and were informed by him that he had at present no communication to make

On motion of Cardwell,
Council took a recess until 2 P.M.

2 P.M.
Council resumed
Mr President in the chair
Roll called, Quorum present.

The following communication from the House was received.

House of Representatives.
Helena M.T. Sept 13, 1887.

Mr President.-
I am directed by the House to inform your Honorable Body.
That.
C.B. No 24 and H.B. No 25 have been laid upon the table.
H.B. No 27 and C.B. No 8. as amended, have passed the House and they are herewith transmitted:

David Morris
Chief Clerk

H.B. No 27 was read the first and second times and referred to Committee on Roads and Highways

On motion of Sutherlin.
The Council concurred in H. amendments to C.B. No 8. and the bill and amendments were referred to committee on enrollment.

A communication from the House was received.

On motion of Kennedy
The Council resolved itself into committee of the whole for the consideration of C.B. No 22.
Handley in the Chair.

Council resumed.
Mr President in the chair.

The following report was received.-
Mr President.
I am instructed by the committee of the whole to report back C.B. No 22. and recommend that the same do not pass.

A Handley
Chairman.

On motion of Collins.
The recommendation of the report was adopted by the following vote.

Ayes. - Burleigh, Collins, Holliday, Richards
Walters, Mr. President. 6
Noes. - Butchelder, Cardwell, Kennedy.
Hutchinson 4
Absent. - Pardee 1
Excused, Hundley. 1

The following report was received.
Mr. President.

Your committee of conference on S.B. No. 17. respectfully report that they have met a like committee on the part of the House and have agreed upon the following amendments.

Strike out in Section 1. the word "eighteen" and insert in lieu thereof the words "fifteen".

That the House recedes from its amendments.

W. A. Burleigh.
T. C. Collins.
J. E. Richards.
Committee on part of Council.

On motion of Collins.-
The recommendations of the report were adopted.

The following communication from the House was received.

House of Representatives.
Helena M.T. Sept 13. 1887.

Mr. President.-

I am directed by the House to inform your Honorable Body that.-

Mr. Smith, introduced H.B. No 38. "A bill for an act to define the boundary lines of Silver Bow County.

David Myers
Chief Clerk.

The following report was received.
Mr. President.

Your Judiciary committee have considered H.B. 32. to amend sec. 253 of the compiled laws relating to commissions of executors and administrators, and beg leave to report the same back with the recommendation that it pass.

Collins, Chairman

The following communication from the House was received.

House of Representatives
Helena M.T. Sept. 13th 1887.

Mr President.

I am directed by the House to inform your honorable body That.

The House has adopted the report of the Committee on Conference on C.B. No. 17. and the bill is herewith transmitted.

David Morris
Chief Clerk

H.B. No 13. was read the third time and passed as amended by the following vote.

Ayes,- Batchelder, Burleigh, Cardwell, Collins, Halliday, Hundley, Richards, Sutherlin, Waters, Mr President. 10
Noes,- Kennedy 1
Absent. Pardee 1
Title agreed to.

H.B. No 3 was read the third time and passed by the following vote.

Ayes,- Batchelder, Burleigh, Cardwell, Collins, Halliday, Hundley Richards, Sutherlin, Waters, Mr President. 10
Noes,- Kennedy 1
Absent,- Pardee. 1
Title agreed to.

C.B No 18 was read the third time and lost by the following vote

Ayes,- Batchelder, Burleigh, Halliday, Richards, Waters, 5
Noes, Cardwell, Collins, Hundley, Kennedy Sutherlin, Mr President. 6
Absent,- Pardee 1

The amendments to H.B. No 23. were reported engrossed and the bill placed on calendar for third reading.

The following report was received.-

Mr President,-

We, a committee on enrollment

begs leave to report that C.B. 2. providing for the transfer of certain records from Gallatin County to Park County, C.B. 11. apportioning members of the Territorial Council to the Counties of Meagher, Gallatin, Fergus and Park, and C.B. 19, amending the act for the encouragement of treeplanting and arboriculture, were presented to the Governor for his signature at 1.45 P.M. Sept. 13, 1887.

Kennedy
Chairman.

The following communication from the House was received. –

House of Representatives,
Helena M.T. Sept 13. 1887.

Mr President. –

I am directed by the House to inform your honorable body That. –

Mr Smith by unanimous consent introduced H.B. No 38, To define the boundary lines of Silver Bow County. The House has concurred in Council amendments to H.B. No. 3.

David Morris.
Chief Clerk.

H.B. No 9 Was read the third time and passed as amended by the following vote.

Ayes. – Batchelder, Burleigh, Cardwell, Collins, Halliday, Hundley, Richards, Waters, Mr President. 9.

Noes. – Kennedy, Sutherlin 2.

Absent. – Pardee 1

Title agreed to.

The following Communication from the House was received. –

House of Representatives
Helena M.T. Sept 13 – 1887.

Mr President,

I am directed by the House to inform your Honorable body That. – Mr Speaker has appointed as a conference committee on H.B. No 13. Messrs. Harwood, Marshall and Smith.

[illegible]

On motion of Richards.
A Committee of Conference on H.B. No 13.
was appointed
The chair appointed Richards, Collins,
and Hundley such committee.

On motion of Collins
H.B. No. 4 was taken from general orders
The rules were suspended and the bill
was read the third time and passed by
the following vote.
Ayes, — Batchelder, Burleigh, Collins, Hundley,
Kennedy, Richards Sutherlin Mr President. 8
Noes, — None. 0
Absent. Cardwell, Holliday, Pardee, Waters 4
Title agreed to.

On motion of Collins.—
C.B.s. No's 20 and 16 were taken from
general orders. The rules were suspended
and C.B. No 16 was read the third time
and passed by the following vote.—
Ayes, — Batchelder, Burleigh, Cardwell, Collins,
Holliday, Hundley, Richards, Sutherlin,
Waters, Mr President. 10
Noes, — None 0
Absent — Pardee Kennedy 2
Title agreed to.

C.B. No 20. was read the third time and
passed by the following vote.
Ayes, — Batchelder, Burleigh Cardwell, Collins,
Holliday, Hundley, Kennedy, Richards,
Sutherlin Waters. Mr President 11
Noes, None 0
Absent, — Pardee. 1
Title agreed to.

Council took recess until 4.30 P.M.

4.30 P.M.
Council resumed.
Mr President in the Chair
Roll called. Quorum present.

The following report was received.

Mr. President,-

Your Conference Committee appointed to confer with like Committee on the part of the House on H.B. No. 13, beg leave to report that we unanimously agree upon recommending that the Council recede from their amendment to Sec. 12.

Rickarde,
Chairman Committee on part of Council.
Harwoods,
Chairman Committee on part of House.

On motion of Rickarde,-
The recommendations of the report of the Conference Committee were adopted.

Mr. President announced the signing of H.B's. No's. 2, 24 and 17.

The following reports were received.-
Mr. President,-

Your Committee to whom H.B. 27 was referred have considered the same and recommend that Sec. 3. be stricken out. and as amended, recommend it do pass.

Holliday
Chairman.

Mr. President,-

Your Committee on Enrollment begs leave to report that C.B. 10. amending the Marriage License law, has been correctly enrolled.

Kennedy
Chairman.

On motion of Collins,-
The amendment to H.B. No 27. was adopted.

The following communications from the House were received.

House of Representatives.
Helena M.T. Sept. 13, 1887.

Mr. President,-

I am directed by the House to

That,-
The House has concurred in Council amendments to H.B. No 9.
David Marks
Chief Clerk.
House of Representatives.
Helena M.T. Sept 13th. 1887.
Mr President.-
I am directed by the House to inform your honorable body.
That,-
C.B. No. 16. under a suspension of the rules has passed the house and is herewith transmitted
C.B. No 20 has been laid upon the table.
David Marks
Chief Clerk.

C.B. No 16. was referred to Committee on Enrollment.

The following report was received.
Mr President,-
Your committee on Federal relations to whom was referred H.J.M. No 1. asking for a brick wall around the Penitentiary, have considered the same and recommend that it do pass.
Hundley
Chairman

On motion of Hundley,
The rules were suspended.
H.J.M. No 1 was considered engrossed, read the third time, and passed by the following vote

Ayes: Bolstelden, Bruleigh, Carwell, Collins, Holleding, Hundley, Kennedy, Rickards Sutherlin, Waters, Mr. President 11
Noes: None 0
Absent: Pardee ... 1.
Title agreed to

On motion of Sutherlin H.B. No. 12 was taken from general orders,

Council Journal, Seventieth Day, Sept 13, 1887

On motion of Kennedy;
The bill was amended by striking out the word "Five" and inserting in lieu thereof the word "Twelve"

On motion of Collins
The bill was further amended by striking out "Three" and inserting "Two"

On motion of Collins,
The rules were suspended, the amendments were considered engrossed, the bill was read the third time by its title, and passed by the following vote;--
Ayes: Batchelder, Burleigh, Cardwell, Collins, Halliday, Hindley, Kennedy, Richards, Sutherlin, Watts, Mr President 11,
Noes; None 0,
Absent; Pardee 1,
Title agreed to
Burleigh moved that the Council take up H.P.B. No 21 — Lost

Burleigh moved that H.P.B. No 11 be taken up, that the rules be suspended, and the bill placed on its final passage
Lost

On motion of Kennedy,
H.P.B. No 14 was taken from general orders, The rules were suspended, the bill was read the third time, and passed by the following vote
Ayes: Batchelder, Burleigh, Cardwell, Collins, Halliday, Hindley, Kennedy, Sutherlin, 8,
Noes; Richards, Watts, Mr President 3,
Absent; Pardee 1,
Title agreed to

Mr President announced signing H.B. No 4

The following communication from the House was received,

Council Journal, Sixteenth Day, Sep. 13. 1887.

House of Representatives
Helena M.T. Sept 13th 1887

Mr. President.
I am directed by the House to inform your Honorable Body
That,
The House concurred in Council amendments to H.B. No 12
David Marks Chief Clerk

On motion of Collins,
H.B. No 6 was taken from general orders
The rules were suspended
The bill was read the third time by its title and placed on its final passage,

The bill passed by the following vote,

Ayes: Baldwin, Merleigh, Cardwell, Collins, Galloway, Kennedy, Richards, Sutherlin, Watts — 9.
Noes: Hinsley, Mr President — 2.
Absent: Pardee — 1.

Bill signed to

The following reports were received

Mr. President,
Your Committee on mines and minerals to whom was referred H.B. No 26 "relating to appointment of Deputy Clerks and Recorders in Mining Districts" herewith return the same without recommendation,
J E Richards for Committee

Mr. President
Your Committee on Education and labor to whom was referred H.B. No 18, "Amending an Act to regulate gambling" having considered the same, herewith return it without recommendation
J E Richards Chairman

(Continued)

Mr. President,

Your Committee on Enrollment to whom was referred C.B. No 8 amending the contagious diseases among sheep law, C.B. No 17, authorizing the appointment of Stenographers, C.B. No 16, relating to motions for new trial, and C.J. M, No 2 asking Congress for an increase in the members of the Legislative Assembly of this Territory, begs to report that they have been correctly enrolled,

Kennedy, Chairman

Mr. President,

As a minority of your Committee on Military Affairs, I beg leave to report H.B. No 36, to establish a flag of Montana, with the recommendation that it do not pass,

When the flag of Montana is floated to the breeze, I think it should bear a nobler sentiment than "Gold and Silver", that the manhood and not the material wealth of Montana should be represented on our Territorial emblem.

Kennedy, Chairman

Mr. President,

As a minority of your Committee on Military Affairs I beg leave to report H.B. No 37, "An Act regulating the militia" with the accompanying amendments, and if amended, would recommend its passage.

Kennedy, Chairman

H.B. Nos. 26, 18, and 36, were placed on general orders

Waters moved that the vote by which H.B. No 6 passed

Waters moved that the vote by which H.B. No 6 was passed be reconsidered, Lost,

H.B. No 18 and 26 were placed on general orders

Council Journal, Twelfth Day, Sept. 13, 1887

(On motion of Cardwell)

Council took a recess until 7 30 P.M.

7 30 P.M.

Council resumed.
Mr. President in the Chair.
Roll called. Quorum present

Mr President announced signing C.B. No 10, 17, 16, and 8 and C.J.M. No 2 and H.B. No 19

The following Reports were received

Mr. President

Your Committee on Enrollment to whom was referred C.B. No 8, amending the contagious diseases among sheep law, and C.B. No 17, authorizing the appointment of Stenographer, C.B. No 16 relating to motions for new trial, and C.J.M. No 2 asking Congress for an increase in the number of the Legislative Assembly of this Territory, beg leave to report that they have been correctly enrolled

Kennedy, Chairman

Mr. President,

As a minority of your Committee on Military affairs, I beg leave to report H.B. No 36, to establish a flag of Montana, with the recommendation that it do not pass.

When the flag of Montana is floated to the breeze, I think it should be a nobler sentiment than "Gold and Silver", that the manhood, and not the material wealth, of Montana should be represented, as our territorial emblem.

Kennedy, Chairman

Mr President,

As a minority of your Committee on

(Continued.)

report.
H.B. No 37, "An act regulating the militia", with the accompanying amendments, and if amended, would recommend its passage,
Kennedy, Chairman

H.B. No 36 was placed on general orders.

On motion of Kennedy,
The amendments to H.B. No 37, were adopted, concurred, engrossed, the rules were suspended, the bill was read the third time by its title, and passed by the following vote

Ayes; Burkheiser, Bromleigh, Cardwell, Collins, Halliday, Hundley, Kennedy, Richards, Sutherlin, Watts and Mr President 11,
Noes; None 0,
Absent; Pardee 1,
Title agreed to.

No objection being made,
Collins introduced C.B. No 28; "Bill for an act relating to County Attorneys,"

Read first and second times,

On motion of Bromleigh,
The following amendment was adopted,

Insert the words "In any case where the Territory or a County is a party".

On motion of Bromleigh,
The bill was considered engrossed, the rules were suspended, the bill was read the third time by its title and passed by the following vote;

Ayes; Bromleigh, Cardwell, Collins, Halliday, Richards, Sutherlin, Watts, Mr President 8,
Noes, Burkheiser, Hundley, Kennedy 3,
Absent; Pardee 1.
Title agreed to.

Council Journal, Seventh Day, Sep. 13, 1887

Hundley moved that C.B. No 12 be withdrawn from general orders,

Collins moved, as an amendment,
That all bills in general orders be withdrawn.
Lost,
The original motion was carried,
and C.B. No 12 was taken up,

On motion of Hundley,
The rules were suspended,
The bill was considered engrossed,
read the third time by its title and
placed on its final passage,

The bill was lost by the following vote:

Ayes: Burleigh, Cardwell, Halliday,
Hundley, Mr. President 5,
Noes: Batchelder, Collins, Kennedy,
Richards, Sutherlin, Waters 6,
Absent: Pardee 1.

On motion of Collins,

H.B. No. 32 was taken from general orders
the rules were suspended,
the bill was considered engrossed,
read the third time, and passed by the
following vote,

Ayes: Batchelder, Burleigh, Cardwell,
Collins, Halliday, Hundley,
Sutherlin, Waters, Mr. President 9.

Noes: Kennedy, Richards, 2,

Absent: Pardee. 1.

Title agreed to,

On motion of Kennedy,
The Council resolved itself into Committee of the whole for the consider-

(Continued)

Kennedy in the Chair.

Council resumed,
Mr. President in the Chair.

Kennedy, Chairman of Committee of the whole, reported progress, and asked leave to sit again.

On motion of Hundley

The Council adjourned until tomorrow morning at 9 o'clock

Reuben L. Davis
Chief Clerk

"Seventeenth Day"

Council Chamber.
Helena M.T. Sept. 14th 1887

Council met at 10 A.M. pursuant to adjournment.
Mr President in the Chair.
Prayer by the Chaplain
Journal of yesterday read and approved.

The following communication from the House was received.

House of Representatives.
Helena M.T. Sept. 13th 1887.

Mr President.-

I am directed by the House to inform your honorable body.
That.-
Mr Speaker has appointed as a Conference Committee on the part of the House on H.B. No. 37., Blake, Johnson and Marshall.
C.B. No 28. under a suspension of the rules passed and is herewith transmitted.

David. Morris.
Chief Clerk.

Kennedy, Waters and Batchelder were appointed to act on the part of the Council as Committee of Conference on H.B. No 37.

C.B. No 28 was ordered enrolled

Mr President announced signing H.B.s No's 3, 6, 8, 9, 12, 13, 14, and H.J.M. No. 1.

The following communication from the House was received.

House of Representatives.
Helena M.T. Sept. 13. 1887.

Mr President.-

I am directed by the House to inform your honorable body.
That.
H.B. No 39. under a suspension of the rules passed the House and is herewith transmitted.

H.B. No. 39. was read first and second times.

On motion of Cardwell.

The rules were suspended.

The bill was read the third time and passed by the following vote.

Ayes,- Batchelder, Burleigh, Cardwell, Collins, Hendley, Kennedy, Richards, Mr. President. 8.

Noes,- Holliday, Sutherlin, Waters 3.

Absent,- Pardee. 1.

Title agreed to.

The following communications from the Governor were received.

The Territory of Montana.
Governors Office
Helena
Sept. 13. 1887.

Gentlemen of the Legislative Council
I have the honor to inform you that I have on this day approved and signed Bills No. 11-19- and 12 which originated in your body- the first named being a Bill entitled "An act to provide for transferring certain records from Gallatin County to Park County" The second named being "An act to amend an act entitled "An act to encourage tree-planting and experiments" approved Feb. 28th. 1887." and the third being "An act to compensation members of the Legislative Council, to the Treasurer of Meagher Yellowstone Gallatin and Park."

Respectfully
P. H. Leslie.
Governor of Montana.

The Territory of Montana.
Governors Office
Helena Sept 14
1887.

Gentlemen of the Legislative Council
I have the honor to inform you that I have on this day approved and signed Bills which originated in your body titled and numbered as follows.

-ing an act entitled an act
relating to warrants approved
March 4 1887.
Bill No. 8 entitled An act to
amend an act entitled. an act to
suppress and prevent the dissemination of scab
and infectious diseases among sheep approved
march 10. 1887"
Bill No 16, entitled "an act relating to motions
for new trials"
Bill No 17. entitled an act to amend an act
authorizing the appointment of Stenographers
by the district Court approved March 10. 1887.

Respectfully.
R. F. Galer.

On motion of Kennedy.
Council took recess of ten minutes.

Council resumed
Mr. President in the Chair.
Roll called. Quorum present.

The following reports were received.
Mr President.-

Your enrolling committee to
which was referred C.F.No. 28 relating to
County attorneys respectfully report the
same back, correctly enrolled.

Kennedy
Chairman.

Mr President,-

Your committee on Enrollment
desires to report that C.B.8. to suppress and
prevent the dissemination of certain diseases
among sheep. C.F.10. amending the Marriage
License law, C.F.16. relating to motions for
new trials, and C.F.17. to amend the act
authorizing the appointment of Stenographers
were presented to the Governor for his
consideration at 9 P.M. Sept. 13. 1887.

C. C. Waters.

Mr President,-

A minority of the Conference
Committee on S.F.B. 37. regulating the militia,
would report in favor of the Council
refusing to recede from its amendments.

Mr. President.-

A majority of the Conference Committee on (H.B. 37) regulating the militia, report in favor of the Council receding from all amendments except those to Secs. 2 and 6.

G. C. Waters
Chairman

On motion of Kennedy,
The Council adheres to its amendments to H.B. No 37.

The following communication from the House was received.

House of Representatives
Helena M.T. Sept 14. 1887

Mr. President,-

I am directed by the house to inform your honorable body
That.-
The resolution herewith accompanying has been adopted by the House
David Marske
Chief Clerk

Resolved by the House, the Council concurring, that the time for adjourning the Extraordinary Session of the Fifteenth Legislative Assembly be extended from 12 o'clock, noon, on Wednesday the 14th day of Sept. until 7 o'clock, P.M., of said day, provided that no new matters of legislation shall be introduced in either branch after 12 o'clock, noon.

On motion of Collins,-
The resolution was amended by striking out all after the word, "Provided," and inserting in lieu thereof the words, "That nothing shall be considered by the Legislative Assembly except communications from the Executive after 12 o'clock noon. and by striking out the word seven and inserting "six"
The resolution as amended was adopted.

Mr President announced signing H. Bill
No. 22 Mr. 30

The following report was received.
Mr President.-

Your committee on Printing begs leave to report that it has had, H.B. No 20 entitled an act regulating the publication of certain matters, approved March 10th 1887., under consideration, and asks leave to report the same back, without recommendation.

Sutherlin
Chairman.

H.B. No 20. was placed on general orders.

Mr President announced signing C.B. 28.

Sutherlin introduced C.J.R. No 2. "To provide payment for certain printing for the Legislative assembly."
Read first and second time.
On motion of Burleigh.-
The rules were suspended.
The resolution was considered engrossed read the third time by its title and passed by the following vote.
Ayes. Batchelder, Burleigh, Cardwell, Collins, Holliday, Hundley, Kennedy, Richards, Sutherlin Waters, Mr President 11
Noes. None 0
Absent.- Pardee 1

Bills agreed to

The following report was received.
Mr President.-

Your committee on enrollment beg leave to report that C.B. No 28 "an act relating to County attorneys having passed both houses and signed by the Speaker Mr President was presented to the Governor for his signature at 11 o'clock A.M.

Collins.
Of the Committee on Enrollment.

The following Communication was received.

Territory of Montana
Governor's Office.
Helena M.T.
Sept 14th 1887

Gentlemen of the Legislative Council
I nominate for your concurrence and approval Professor G. C. Swallow and J. H. S. Meyers to be members with the Superintendent of Public Instruction of the School Text Book Commission.

Respectfully
P. H. Leahi.

Referred to Committee on Education and Labor.

The following communication from the House was received.

House of Representatives
Helena M.T. Sept 14th 1887.

Mr. President:
I am directed by the House to inform your Honorable body.
That
The House insists upon its non-concurrence in Council Amendment to H.B. No 37.
The House has concurred in the Amendment adopted by the Council, and requests to the revocation for reconsideration.

Daniel Mank
Chief Clerk.

On motion of Collins the Council refused to recede from its amendments to H.B. No. 37.

The Chair appointed Collins Batchelder and Bradleigh a Committee on Mileage.

The following Report was received.

Report of committee on Mileage.
Mr. President,

Your select committee charged to ascertain the number of miles necessarily travelled by the members of the extraordinary session of the Eighteenth Legislative Council in reaching the Capitol and returning to their homes, beg leave to submit the following report, that we find the distance travelled to be as follows.

Batchelder, Geo. L. starting point. Horse Prairie carriage to Red Rock thence to Helena by R.R. 400 miles.

Bardwell Edward starting point, mouth of Boulder. Route travelled private conveyance to Boulder, coach to Jefferson thence to Helena by R.R. 150 Miles.

Collins Timothy E. Starting point Fort Benton, route travelled carriage and coach to Helena. 300 miles.

Hickman, Richard O. Starting point Virginia City Route travelled carriage and coach to Dillon thence to Helena by R.R. 424 Miles

Holliday Samuel L. starting point Livingston Route travelled, carriage and R.R. to Helena 250 Miles.

Hundley. Wm. B. starting point Helena. no mileage claimed.

Kennedy Will. Starting point Missoula route travelled carriage and R.R. to Helena 254 miles.

Pardee James. A. starting point Philipsburg Route travelled carriage and coach to Drummond, thence to Helena by R.R. 206 Miles.

Rogers Wardsworth S. Starting Point. Butte City Route travelled carriage and R.R. to Helena 214 Miles

Burleigh. Walter. A. Starting point. Miles City Route travelled N.P. Railway to Helena 770 Miles.

Waters. Ela. C. Starting point. Billings Route travelled carriage and R.R. to Helena 480 Miles.

Sutherlin Mill N. starting point near White Sulphur Springs, carriage to Springs coach to Townsends, thence to Helena by R.R. 156 Miles.

Collins
Chairman

On motion of Cardwell,-
The report was adopted.

The following report was received.-
Mr. President.-

Your committee on Education and Labor to whom was referred the nomination by the Governor, of G. C. Swallow and J. H. Meyers to be members of the School Text Book Commission, most respectfully report the same back, without recommendation.

J. E. Rickards
Chairman

On motion of Collins
The nomination of Prof. Geo. C. Swallow as a member of the School Text Book Commission was confirmed by the following vote.

Ayes.- Burleigh, Cardwell, Collins, Holliday, Hundley, Sutherlin, Waters. 7

Noes.- Batchelder, Kennedy, Rickards, Mr. President. 4

Absent.- Pardee. 1

On motion of Burleigh.
The vote by which Prof. George C. Swallow was confirmed was reconsidered and, the motion was again voted upon and lost by the following vote.

Ayes.- Cardwell, Collins, Hundley, Sutherlin 4

Noes.- Batchelder, Burleigh, Holliday, Kennedy, Rickards, Waters, Mr. President 7

Absent.- Pardee. 1

On motion of Waters.-
The appointment of Prof. John H. Meyers as a member of the School Text Book Commission

Ayers, Batchelder, Burleigh, Cardwell,
Collins, Holliday, Hundley,
Kennedy, Richards, Sutherlin,
Waters, Mr President. 11
Absent, - Mr Gordon. 1

On motion of Hundley.
Council took a recess until 2 30 P.M.

2 30 P.M.
Council resumed.
Mr President in the chair.
Roll called. Quorum present.

The following communication from the House was received.

House of Representatives.
Helena M.T. Sept 14. 1887.

Mr President,
I am directed by the House to inform your Honorable Body.
That.
The Governor has approved H. Bills Nos. 4, 24, 19, 17, 12
David Morris.
Chief Clerk.

On motion of Burleigh.
Council took a recess until 3 00 P.M.

3 30 P.M.
Council Resumed.
Mr President in the chair.
Roll called. Quorum present.

Council took a recess until 4 00 PM

4 30 P.M.

Council resumed
Mr. President in the chair
Roll called, Quorum present,

The following communication from the House was received,

Fifteenth Extraordinary Session, Council, 17th Day

House of Representatives
Helena M.T. Sept. 14th 1889

Mr President
I am directed by the House to inform your Honorable Body
That,
The Governor has approved H. Bills No's 4, 30, 32, 3, 14, 13, 8 and 12.
David Marks, Chief Clerk

On motion of Dunleigh
The following Resolution was adopted,

Resolved by the Council
That the thanks of the Legislative Council of the Territory of Montana are due and hereby tendered to the Publishers of the Daily Herald and Daily Independent of Helena and the Butte Miner and Intermountain of Butte City for their courtesy in furnishing gratuitously copies of the Daily edition of each of their newspapers and to the Publishers of the Stock Grower Journal, Bozeman Courier, Rocky Mountain Husbandman for the weekly editions of said papers furnished to the members of the Council during the extraordinary Fifteenth Session

Dunleigh

Council took a recess until 1:30 P.M.

The Journal of Proceedings, at 1:30 P.M., of this day was read and approved.

The following communications from the Governor were received.

The Territory of Montana
Governors Office
Helena Sept 14. 1889.
Gentlemen of the Legislative Council
I have the honor to inform you that I have approved and signed the bill which originated in your body which

is numbered 38, and entitled "An act relating to county attorneys."

Respectfully
R. H. Leslie

The Territory of Montana.
Governors Office.
Helena M.T. September 14, 1887.

Gentlemen of the Legislative Council

I nominate for your consent and approval R. N. Howey (in lieu of Prof. G. C. Swallow whom a majority of your body has rejected.) to be a member of the School Text Book Commission.

Respectfully
R. H. Leslie.

On motion of Burleigh.
A call of the House was had, Collins and Waters not answering the Sergeant at arms was instructed to bring in the absentees, who appeared and on motion of Burleigh all further proceedings under the call were dispensed with.

On motion of Hendley.
The appointment of R. N. Howey was confirmed by the following vote.
Ayes.- Batchelder, Burleigh, Cardwell, Collins, Holliday, Hendley, Kennedy, Richards, Sutherlin, Mr President 10
Absent.- Waters, Pardee. 2.

The Journal of proceedings to 4 30 P.M. of this day were read and approved.

Council took a recess until 5 P.M.

5 P.M.
Council resumed.
Mr President in the Chair
Roll called. Quorum present.

The following communication from the House was received.

House of Representatives
Helena M.T. Sept 14. 1887.

Mr President

I am directed by the House to inform your Honorable Body.
That.-
The Governor has approved H.B. No. 6.
David Marks.
Chief Clerk.

The following communication from the Governor was received.
The Territory of Montana.
Governors Office.
Helena Sept. 14, 1887.
Gentlemen of the Legislative Council.
I nominate for your advice and consent Thomas F. Napton of the County of Silver Bow for the office of Attorney General of the Territory of Montana.
Respectfully.
P.W. Leslie.
Referred to Committee on Judiciary.

Council took a recess until 5 25 P.M.

5 25 P.M.
Council resumed.
Mr President in the Chair.
Roll called. Quorum Present.

The following communication from the House was received.
House of Representatives.
Helena M.T. Sept 14, 1887.
Mr President.-
I am directed by the House to inform your Honorable body.
That.
Mr Speaker has appointed Messrs. Marshall, Stoney and Bennett to act with a like committee of the Council to wait upon his Excellency the Governor and ascertain if he has any further communications to make with this Legislative assembly before its adjournment.
David Marks
Chief Clerk

Hundley offered
the following Report was received
Mr President

Your Judiciary Committee have considered the nom of T L Napton for the office of Atty General and request that I report the same back without recommendation

Collins' Chairman

Collins moved that the appointment of T L N as Atty General be confirmed which was lost by the following vote

Ayes Butchelder, Cardwell
Collins, Hundley
Sutherlin 5

Noes Burleigh Holliday Kennedy
Rickards Watts
Mr President 6

Absent Pancoe

Hundley offered the following Resolution

Resolved. That the thanks of the Fifteenth Legislative Council of the Territory of Montana are due and hereby tendered to the Hon. Richard O Rickman, President of the Council, for the honorable, faithful and impartial manner in which he has presided over the meetings of the Council during its present Session, and for the dignity and courtesy exhibited in attending to the matters which have come before us

Hundley was called to the chair
and after remarks by various
members heartily supporting the
Resolution the same was adopted
by a unanimous vote
Mr President in the chair
~~Mr Resolution~~ appointed Hundley Fitchett
& Batchelder to act on the part of the
Council upon the joint Committee to
wait upon the Governor and
ascertain if he has any fur-
ther communication to make to this
Legislative assembly

Hundley from joint committee
to wait upon the Governor reported
that the Committee had performed
that duty and that the Governor
had no further communication
to make

On motion of Brulength
the thanks of the Council were
extended to the officers and
attaches of the Council for
the efficient and faithful
manner in which their duties
were performed

Journal of proceedings to this
time read and approved
Benediction by the Chaplain
On motion of Kennedy
The Council adjourned
sine die

R. O. Pitchman
President

Attest Reuben L. Davis
(Chief Clerk)